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SALUS POPULI SUPREMA LEX ESTO

"The welfare of the people shall be the supreme law."



ROBIN CARNAHAN
SECRETARY OF STATE

MISSOURI
REGISTER

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Documents will be accepted for filing on all regular workdays from 8:00 a.m. until 5:00 p.m. We encourage early filings to facilitate the timely publication of the *Missouri Register*. Orders of Rulemaking appearing in the *Missouri Register* will be published in the *Code of State Regulations* and become effective as listed in the chart above. Advance notice of large volume filings will facilitate their timely publication. We reserve the right to change the schedule due to special circumstances. Please check the latest publication to verify that no changes have been made in this schedule. To review the entire year's schedule, please check out the website at <http://www.sos.mo.gov/adrules/pubsched.asp>

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HOW TO CITE RULES AND RSMo

RULES—Cite material in the *Missouri Register* by volume and page number, for example, Vol. 28, *Missouri Register*, page 27. The approved short form of citation is 28 MoReg 27.

The rules are codified in the *Code of State Regulations* in this system—

| Title | Code of State Regulations | Division | Chapter | Rule |
|------------|---------------------------|------------------|------------------------|-------------------------|
| 1 | CSR | 10- | 1. | 010 |
| Department | | Agency, Division | General area regulated | Specific area regulated |

They are properly cited by using the full citation , i.e., 1 CSR 10-1.010.

Each department of state government is assigned a title. Each agency or division within the department is assigned a division number. The agency then groups its rules into general subject matter areas called chapters and specific areas called rules. Within a rule, the first breakdown is called a section and is designated as (1). Subsection is (A) with further breakdown into paragraph 1., subparagraph A., part (I), subpart (a), item I. and subitem a.

RSMo—The most recent version of the statute containing the section number and the date.

The Secretary of State shall publish all executive orders beginning January 1, 2003, pursuant to section 536.035.2, RSMo Supp. 2006.

EXECUTIVE ORDER

07-17

WHEREAS, I have been advised by the Director of the State Emergency Management Agency that severe storms having the potential to cause statewide flooding particularly along the Missouri and Mississippi Rivers and their tributaries; and

WHEREAS, the National Weather Service is predicting major prolonged flooding across the state; and

WHEREAS, this flooding has also created the need for unplanned water releases from dams and reservoirs into the Missouri and Mississippi Rivers and tributaries; and

WHEREAS, the severe storms began May 5, 2007, and are continuing; and

WHEREAS, in order to protect the citizens of Missouri, I am invoking the provision of Section 41.480.2, RSMo.

NOW, THEREFORE, I MATT BLUNT, GOVERNOR OF THE STATE OF MISSOURI, by virtue of the Constitution and Laws of the State of Missouri, including Section 41.480.2, RSMo, order and direct the Adjutant General of the State of Missouri, or his designee, to call forthwith and order into active service such portions of the organized militia as he deems necessary to aid the executive officials of Missouri and to protect life and property. It is further ordered and directed that the Adjutant General or his designee, through him, the commanding officer of any unit or other organization of such organized militia so called into active service take such action and employ such equipment as may be necessary in support of civilian authorities, and provide such assistance as may be authorized and directed by the Governor of this State..

This order shall terminate on June 7, 2007, unless extended in whole or in part.



IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Missouri, in the City of Jefferson, on this 7th day of May, 2007.

A handwritten signature in black ink that reads "Matt Blunt". The signature is written in a cursive style with a large, stylized "M" and "B".

Matt Blunt
Governor

ATTEST:

A handwritten signature in black ink that reads "Robin Carnahan". The signature is written in a cursive style with a large, stylized "R" and "C".

Robin Carnahan
Secretary of State

**EXECUTIVE ORDER
07-18**

WHEREAS, I have been advised by the Director of the State Emergency Management Agency that severe storms have caused statewide flooding along the Missouri and Mississippi Rivers and their tributaries; and

WHEREAS, the National Weather Service is predicting major prolonged flooding across the state; and

WHEREAS, this flooding has also created the need for unplanned water releases from dams and reservoirs into the Missouri and Mississippi Rivers and tributaries; and

WHEREAS, the severe storms began May 5, 2007, and are continuing; and

WHEREAS, in order to protect the citizens of Missouri, I am invoking the provisions of Sections ~~44.100~~ 44.100, and 44.110, RSMo.

NOW, THEREFORE, I MATT BLUNT, GOVERNOR OF THE STATE OF MISSOURI, by virtue of the authority vested in me by the Constitution and Laws of the State of Missouri, including Sections 44.100 and 44.110, RSMo, do hereby declare that a State of Emergency exists in the State of Missouri. I do hereby direct that the Missouri State Emergency Operations Plan be activated.

I further authorize the use of state agencies to provide support to the affected areas, as needed.

This order shall terminate on June 7, 2007, unless extended in whole or in part.



IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Missouri, in the City of Jefferson, on this 7th day of May, 2007.

A handwritten signature in black ink that reads "Matt Blunt".

Matt Blunt
Governor

ATTEST:

A handwritten signature in black ink that reads "Robin Carnahan".

Robin Carnahan
Secretary of State

EXECUTIVE ORDER

07-19

WHEREAS, many Missouri citizens, including employees of the State of Missouri, have experienced the loss of personal property and subsistence due to the 2007 flood; and

WHEREAS, it is the mission of the State of Missouri to maintain or improve the quality of life for the people of the State of Missouri; and

WHEREAS, many employees desire to help their fellow employees who are in need of assistance due to such loss; and

WHEREAS, it is in the best interests of the services and programs of the State of Missouri to encourage teamwork and feelings of mutual concern and support among employees; and

NOW, THEREFORE, I, Matt Blunt, Governor of the State of Missouri, by virtue of the authority vested in me by the Constitution and laws of the State of Missouri, do hereby order that the Departments and Agencies of the Executive Branch of Missouri State Government are authorized to adopt a program by which employees may donate a portion of their accrued annual leave (vacation) benefits to other employees who have experienced personal loss due to the 2007 flood or employees who volunteer to participate in a flood relief effort regardless of whether those employees have balances.

IT IS FURTHER ORDERED that this leave-sharing program adopted under this order will adhere to the following terms and limitations:

1. Only annual leave as defined by Section 1 CSR 20-5.020(1) of the Rules of the Personnel Advisory Board may be donated.
2. Recipient employees must have experienced a loss of personal property and/or subsistence, or be volunteers in a flood-relief effort.
3. Donations will be made to a departmental or agency donation pool established specifically for this purpose rather than from individual to individual.
4. Departmental policy will establish a method for determining the eligibility of persons who apply for annual leave benefits from the donation pool.
5. Eligible employees will receive an equitable share of the annual leave from the available donation pool.
6. All donations of annual leave shall be voluntary. Individual leave records are confidential, and only individual employees may reveal their donations or receipt of annual leave.
7. This authorization for a donated annual leave program shall cover only situations created as a result of the 2007 flood, and shall automatically expire June 7, 2007.



IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Missouri, in the City of Jefferson, on this 7th day of May, 2007.

Matt Blunt
Governor

ATTEST:

Robin Carnahan
Secretary of State

EXECUTIVE ORDER
07-20

WHEREAS, on or about May 7, 2007, the Governor of the State of Missouri declared a flood emergency pursuant to his authority under Section 44.010(4), RSMo; and

WHEREAS, the Missouri Department of Natural Resources is charged by law with protecting and enhancing the quality of Missouri's environment and with enforcing a variety of environmental rules and regulations;

WHEREAS, in a prompt effort to respond to the flood emergency and also to expedite the cleanup and recovery, it is necessary to adjust certain environmental rules and regulations on a temporary and short-term bases; and

NOW, THEREFORE, I, Matt Blunt, Governor of the State of Missouri, by virtue of the authority vested in me by the Constitution and laws of the State of Missouri, do hereby issue the following order:

The Director of the Missouri Department of Natural Resources is vested with full discretionary authority to temporarily waive or suspend the operation of any statutory or administrative rule or regulation currently in place under his purview in order to best serve the interest of public health and safety during the period of this flood emergency and the subsequent recovery period. The authority granted this Order shall remain in effect for the duration of the flood emergency.



IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Missouri, in the City of Jefferson, on this 7th day of May, 2007.

Matt Blunt
Governor

ATTEST:

Robin Carnahan
Secretary of State

Under this heading will appear the text of proposed rules and changes. The notice of proposed rulemaking is required to contain an explanation of any new rule or any change in an existing rule and the reasons therefor. This is set out in the Purpose section with each rule. Also required is a citation to the legal authority to make rules. This appears following the text of the rule, after the word "Authority."

Entirely new rules are printed without any special symbolology under the heading of the proposed rule. If an existing rule is to be amended or rescinded, it will have a heading of proposed amendment or proposed rescission. Rules which are proposed to be amended will have new matter printed in boldface type and matter to be deleted placed in brackets.

An important function of the *Missouri Register* is to solicit and encourage public participation in the rulemaking process. The law provides that for every proposed rule, amendment or rescission there must be a notice that anyone may comment on the proposed action. This comment may take different forms.

If an agency is required by statute to hold a public hearing before making any new rules, then a Notice of Public Hearing will appear following the text of the rule. Hearing dates must be at least thirty (30) days after publication of the notice in the *Missouri Register*. If no hearing is planned or required, the agency must give a Notice to Submit Comments. This allows anyone to file statements in support of or in opposition to the proposed action with the agency within a specified time, no less than thirty (30) days after publication of the notice in the *Missouri Register*.

An agency may hold a public hearing on a rule even though not required by law to hold one. If an agency allows comments to be received following the hearing date, the close of comments date will be used as the beginning day in the ninety (90)-day-count necessary for the filing of the order of rulemaking.

If an agency decides to hold a public hearing after planning not to, it must withdraw the earlier notice and file a new notice of proposed rulemaking and schedule a hearing for a date not less than thirty (30) days from the date of publication of the new notice.

Proposed Amendment Text Reminder:

Boldface text indicates new matter.

[Bracketed text indicates matter being deleted.]

**Title 1—OFFICE OF ADMINISTRATION
Division 10—Commissioner of Administration
Chapter 8—Direct Deposit of Payroll Requirements**

PROPOSED AMENDMENT

1 CSR 10-8.010 Direct Deposit of Payroll Requirements. The commissioner is amending sections (1) and (2), deleting section (4) but replacing with new text, deleting section (5), and renumbering section (6) to section (5) that follows in the *Code of State Regulations*.

PURPOSE: *This amendment describes the requirements established to require state employees to participate in the Payroll Direct Deposit program as a condition of employment.*

(1) Effective *[July] January 1, [1998] 2008*, all *[new]* employees that are expected to be employed for longer than three (3) months

are required to participate in the state Payroll Direct Deposit program as a condition of employment. *[This requirement is subject to established departmental guidelines for program participation.]* Employees are allowed to select the financial institution that will receive the direct deposit. Departments may temporarily or permanently waive application of this section for individuals or classes of individuals *[for whom compliance imposes a hardship. A hardship may be deemed to exist in the following circumstances:]* with approval from the commissioner of administration or his designee.

[(A) The position held by the employee is located outside the United States, or the employee is temporarily stationed outside the United States;

(B) The existence of a state or national emergency or natural disaster that would preclude the origination or receipt of an electronic deposit;

(C) A physical or mental disability, as documented by a health care professional, that would impede the employee's ability to gain access to electronically deposited funds;

(D) Certification by the employee that religious convictions preclude the use of direct deposit;

(E) Remoteness of the employee's primary residence to both a financial institution and a cash access device owned by the financial institution;

(F) A written statement from the employee's financial institution confirming the financial institution's inability to accept an electronic deposit or withdrawal;

(G) A financial institution's refusal to establish an account for an employee; or

(H) Other situations as determined by the department.]

(2) Employees must complete a Payroll Direct Deposit application form (MO 300-1269N) to participate. The completed application authorizes the Office of Administration to deposit (credit) the employee's net pay into a designated checking or savings account. It also authorizes an employee's account to be debited only when an error has occurred *[resulting in an overpayment]* in a payment to the employee. The Payroll Direct Deposit form (MO 300-1269N) (11-02) which has been incorporated by reference is maintained by the Missouri Office of Administration, PO Box 809, Jefferson City, MO 65102. This form does not include any amendments or additions to the form. The form is available at the Office of Administration or online at <http://www.mo.gov/mo/samii/hr/hrp&p/ddapp.pdf> or by mailing a written request to the Missouri Office of Administration, PO Box 809, Jefferson City, MO 65102.

(4) *[The departments must adopt guidelines for their employees who participate in Payroll Direct Deposit to follow.] If an employee does not have a checking or savings account, the state has made available through banking contracts, choices of banks that will assist in setting up an account. If the employee chooses not to open a checking or savings account, a payroll card account must be chosen from the options provided by the State Treasurer's Office. Agencies must follow the policies established by the commissioner of administration.*

[(5) The department must certify that their employees are eligible for Payroll Direct Deposit based on that department's guidelines.]

[(6)] (5) The state will conduct Payroll Direct Deposit through the automated clearing house system, utilizing an originating depository financial institution. The rules of the National Automated Clearing House Association and its member local Automated Clearing House Associations shall apply, as limited or modified by law.

AUTHORITY: section 33.155, RSMo 2000. Emergency rule filed July 17, 1990, effective Aug. 28, 1990, expired Dec. 24, 1990. Original rule filed July 17, 1990, effective Dec. 31, 1990. Amended: Filed Nov. 17, 1997, effective July 1, 1998. Amended: Filed June 16, 2005, effective Dec. 30, 2005. Amended: Filed May 14, 2007.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Office of Administration, Division of Accounting, Vandee DeVore, Central Payroll Manager, PO Box 809, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

Title 2—DEPARTMENT OF AGRICULTURE
Division 30—Animal Health
Chapter 2—Health Requirements for Movement of
Livestock, Poultry and Exotic Animals

PROPOSED AMENDMENT

2 CSR 30-2.040 Animal Health Requirements for Exhibition.
The interim director is amending sections (1) through (10).

PURPOSE: This amendment addresses the use of an electronic Certificate of Veterinary Inspection in section (1) and in section (2) through (10) changes are proposed for consistency in wording and format throughout the chapter as well as clarification and updating requirements for livestock to exhibit in Missouri.

(1) Certificate of Veterinary Inspection.

(A) The term Certificate of Veterinary Inspection (**including paper copy of an electronic Certificate of Veterinary Inspection**) means *la legible record made on an official form of the state of origin, issued by an accredited veterinarian, which shows that the animal(s) listed meets the testing, vaccination, treatment and health requirements of the state of destination* an official document signed by an accredited, licensed veterinarian. The official Certificate of Veterinary Inspection shall state that the animals are free of visible signs of contagious, infectious, or communicable disease, describe the animals by species, breed, sex and age. Individual identification will be listed as well as all data for required tests and vaccinations, including date, results and the name of the laboratory.

(B) Animals with active lesions of ringworm *[with resulting loss of hair]* or warts *[easily visible without close examination]* will not be permitted to exhibit and shall be subject to isolation or expulsion *[depending upon the nature and seriousness of the disease]*.

(2) Exhibition Requirements for Cattle and Bison.

(A) Intrastate (**Missouri Origin** *[c/Cattle* *[in Missouri]* and **Bison** *[m/Moving* *[e/Exhibition* *[only in Missouri]*]).

1. No Certificate of Veterinary Inspection is required.
2. Brucellosis—no test is required.
3. Tuberculosis—no test is required.

(B) Interstate (*[c/Cattle* *[from another state moving into]* and **Bison Entering** Missouri for *[the purpose of]* *[e/Exhibition* *[o/Only]*).

1. A Certificate of Veterinary Inspection is required **with official individual identification for each animal listed**.

2. Brucellosis.

A. Cattle from brucellosis-free states.

(I) All cattle may enter without a brucellosis test.

(II) Steers. No tests required but the steer(s) must be listed and identified on a Certificate of Veterinary Inspection.

B. Sexually intact cattle from brucellosis Class A states. All test-eligible animals must be tested and negative within *[sixty (60)]* **thirty (30)** days prior to entry except—

(I) Cattle from a certified brucellosis-free herd. The certified herd number and the date of the last herd test must be *[shown]* **listed** on the Certificate of Veterinary Inspection; and

(II) Steers. No tests required but the steer(s) must be listed and identified on a Certificate of Veterinary Inspection.

C. Rodeo bulls **from a Class A state** must have a negative brucellosis test within twelve (12) months *[if from a Class A state]*.

3. Tuberculosis.

A. Dairy—all sexually intact dairy cattle six (6) months of age and older entering *[and moving in]* Missouri for exhibition must be negative to an official tuberculosis test within sixty (60) days prior to exhibition, except dairy cattle that move from an accredited tuberculosis-free herd. **The herd number and current herd test date must be listed on the Certificate of Veterinary Inspection.**

B. Beef—all beef breeding cattle *[eight (8)]* **six (6)** months of age or over entering *[and moving in]* Missouri for exhibition must meet one (1) of the following requirements:

(I) Originate from a tuberculosis-free state;

(II) Originate from a tuberculosis-accredited free herd. The herd number and current herd test date must be *[shown]* **listed** on the Certificate of Veterinary Inspection;

(III) Test negative within sixty (60) days prior to exhibition.

[4. Scabies (mange). Cattle originating in scabies-quarantined areas or herds are not eligible to exhibit.]

(3) Exhibition Requirements for Swine.

(A) Intrastate (**Missouri Origin** *[s/Swine* *[in Missouri]* *[m/Moving* *[e/Exhibition* *[only in Missouri]*]). No Certificate of Veterinary Inspection is required.

1. *[Brucellosis. No test is required]* **All swine to be exhibited must be free of clinical signs of infectious or contagious disease.**

2. **Brucellosis. No test is required.**

[2.]3. Pseudorabies. No test is required.

(B) Interstate (*[s/Swine* *[from another state moving into]* **Entering** Missouri for *[the purpose of]* *[e/Exhibition* *[o/Only]*). *[A Certificate of Veterinary Inspection is required]* **All swine must be identified by eartag, ear notch, or tattoo and individually listed on a Certificate of Veterinary Inspection and free of clinical signs of infectious or contagious disease.**

1. Brucellosis.

A. Breeding swine originating from brucellosis-free states may exhibit without a brucellosis test.

B. Breeding swine originating from brucellosis stage II states must be tested negative within sixty (60) days prior to exhibition except breeding swine from a validated brucellosis-free herd. The validated herd number and date of last validating test must be *[recorded]* **listed** on the Certificate of Veterinary Inspection.

2. Pseudorabies.

A. Swine originating from a state classified as Stage V in the National Pseudorabies (PRV) Eradication Plan may exhibit without a pseudorabies test.

B. All other swine must be tested negative within sixty (60) days prior to exhibition except swine from a qualified pseudorabies-free herd. The qualified herd number and date of the last qualifying test must be *[recorded]* **listed** on the Certificate of Veterinary Inspection.

(4) Exhibition Requirements for Sheep.

(A) Intrastate (*Missouri Origin [s/Sheep [in Missouri being exhibited only in Missouri] Moving for Exhibition*).

1. Sheep *[that are to be exhibited]* must be free of clinical signs of an infectious or contagious disease. All *[S/sheep, including wethers,* must be *[officially individually identified and listed on]* accompanied by a Certificate of Veterinary Inspection showing official identification (eartag, electronic implant or registration tattoo) as defined in Title 9, *Code of Federal Regulations*, Part 79 herein incorporated by reference and made a part of this rule, as published by the United States Superintendent of Documents, 732 N Capital Street NW, Washington, DC 20402-0001, phone: toll free (866) 512-1800; DC area (202) 512-1800, email <http://bookstore.gpo.gov>. This rule does not incorporate any subsequent amendments or additions. If electronic implants are used for identification, owner/manager must provide electronic implant reader.

2. No tests are required.

[3. Scabies.

[A. Sheep from a scabies-quarantined area must be dipped or treated by an officially approved method within ten (10) days prior to exhibition.

B. A prior permit number must be obtained and recorded on a Certificate of Veterinary Inspection if the sheep are from a scabies-quarantined area.]

(B) Interstate (*[s/Sheep [from another state moving into] Entering Missouri for [e/Exhibition [o/Only]. [The previously mentioned intrastate requirements must be met.]*

1. Sheep must be free of clinical signs of an infectious or contagious disease. All sheep, including wethers, must be accompanied by a Certificate of Veterinary Inspection showing official identification (eartag, electronic implant or registration tattoo) as defined in Title 9, *Code of Federal Regulations*, Part 79 herein incorporated by reference and made a part of this rule, as published by the United States Superintendent of Documents, 732 N Capital Street NW, Washington, DC 20402-0001, phone: toll free (866) 512-1800; DC area (202) 512-1800, email <http://bookstore.gpo.gov>. This rule does not incorporate any subsequent amendments or additions. If electronic implants are used for identification, owner/manager must provide electronic implant reader.

2. No tests or entry permits are required.

(5) Exhibition Requirements for Goats *[in Missouri]*.

(A) Intrastate (*Missouri Origin [g/Goats [in Missouri being exhibited only in Missouri] Moving for Exhibition*).

1. Goats *[that are to be exhibited]* must be free of clinical signs of an infectious or contagious disease. *[Goats must be officially individually identified and listed on a Certificate of Veterinary Inspection.]* All goats, including wethers, must be accompanied by a Certificate of Veterinary Inspection showing official identification (eartag, electronic implant or registration tattoo) as defined in Title 9, *Code of Federal Regulations*, Part 79 herein incorporated by reference and made a part of this rule, as published by the United States Superintendent of Documents, 732 N Capital Street NW, Washington, DC 20402-0001, phone: toll free (866) 512-1800; DC area (202) 512-1800, email <http://bookstore.gpo.gov>. This rule does not incorporate any subsequent amendments or additions. If electronic implants are used for identification, owner/manager must provide electronic implant reader.

2. No tests are required.

(B) Interstate (*[g/Goats [from another state moving into] Entering Missouri for [e/Exhibition [o/Only]. [The previously mentioned intrastate requirements must be met.]*

1. Goats must be free of clinical signs of an infectious or contagious disease. All goats, including wethers, must be accompanied by a Certificate of Veterinary Inspection showing official

identification (eartag, electronic implant or registration tattoo) as defined in Title 9, *Code of Federal Regulations*, Part 79 herein incorporated by reference and made a part of this rule, as published by the United States Superintendent of Documents, 732 N Capital Street NW, Washington, DC 20402-0001, phone: toll free (866) 512-1800; DC area (202) 512-1800, email <http://bookstore.gpo.gov>. This rule does not incorporate any subsequent amendments or additions. If electronic implants are used for identification, owner/manager must provide electronic implant reader.

2. No test or entry permits are required.

(6) Exhibition Requirements on Horses and Other *[Equidae/ Equidae]*.

(A) *[All equidae to be exhibited must be free of clinical signs of an infectious or contagious disease.]* Intrastate (*Missouri Origin Equidae Moving for Exhibition*).

1. Equidae must be free of clinical signs of an infectious or contagious disease. Any equidae showing signs of infectious or contagious disease at an exhibition may be excused by the official inspecting veterinarian. When an official inspecting veterinarian is present, all equidae will be subject to daily inspection.

2. A Certificate of Veterinary Inspection is not required.

3. All equidae (except nursing foals accompanied by their dams) must be accompanied by a current VS Form 10-11 or any officially recognized state Equine Infectious Anemia (EIA) test chart showing test date within twelve (12) months prior to exhibition for each animal, the name of the EIA accredited testing laboratory and the test accession number assigned by the laboratory, the graphic description of all markings needed for identification, or microchip, or legible tattoo, or unique registered brand. A certified photocopy or certified facsimile of the VS Form 10-11 or any officially recognized state EIA test chart may be accepted for the purpose of exhibition.

A. A certified photocopy is one obtained from the testing veterinarian or accredited testing laboratory bearing seal or signature in the lower right hand corner along with the date of certification of photocopy in some ink color other than black.

B. A certified facsimile may be obtained only from the testing veterinarian or accredited testing laboratory and must bear the facsimile imprint of the originating facility clearly across the top of the page. It must also bear the date of the facsimile either along the top or in the lower right hand corner.

C. Alteration or substitution of any information on any VS Form 10-11 including certified photocopies, certified facsimiles or Certificate of Veterinary Inspections shall cause the document to be invalid and in violation of sections 267.010 to 267.730, RSMo, and may result in civil penalties not to exceed ten thousand dollars (\$10,000) per violation and subject to expulsion.

(B) *[All equidae (except nursing foals accompanied by their dams) must be accompanied by:]* Interstate (*Equidae Entering Missouri for Exhibition Only*).

[1. A current VS Form 10-11 (or later revision) or any officially recognized state EIA test chart showing the graphic description of all markings needed for identification;

2. Out-of-state equidae must be accompanied by an official Certificate of Veterinary Inspection showing:

A. Identification and description of all equidae listed on the certificate; and

B. Negative test results of an official Equidae Infectious Anemia (EIA) test, showing test date within twelve (12) months prior to entry for each animal, the name of the EIA accredited testing laboratory and the test accession number assigned by the laboratory.]

1. Equidae must be free of clinical signs of an infectious or contagious disease. Any equidae showing signs of infectious or

contagious diseases at an exhibition may be excused by the official inspecting veterinarian. When an official inspecting veterinarian is present, all equidae will be subject to daily inspection.

2. A Certificate of Veterinary Inspection is required on all equidae (except nursing foals accompanied by their dams) showing identification and description of all equidae listed and negative test results of an official EIA test, showing test date within twelve (12) months prior to exhibition for each animal, the name of the EIA accredited testing laboratory and the test accession number assigned by the laboratory. All equidae entering without an official Certificate of Veterinary Inspection when required and/or EIA test shall be excused from the show until proper documentation and test are obtained.

3. All equidae (except nursing foals accompanied by their dams) must be accompanied by a current VS Form 10-11 or any officially recognized state EIA test chart showing the graphic description of all markings needed for identification or microchip, or legible tattoo, or unique registered brand. A certified photocopy or certified facsimile of the VS Form 10-11 or any officially recognized state EIA test chart may be accepted for exhibition.

A. A certified photocopy is one obtained from the testing veterinarian or accredited testing laboratory bearing seal or signature in the lower right hand corner along with the date of certification of photocopy in some ink color other than black.

B. A certified facsimile may be obtained only from the testing veterinarian or accredited testing laboratory and must bear the facsimile imprint of the originating facility clearly across the top of the page. It must also bear the date of the facsimile either along the top or in the lower right hand corner.

C. Alteration or substitution of any information on any VS Form 10-11 including certified photocopies and certified facsimiles or an official copy of a Certificate of Veterinary Inspection shall cause the document to be invalid and in violation of sections 267.010 to 267.730, RSMo, and may result in civil penalties not to exceed ten thousand dollars (\$10,000) per violation and subject to expulsion.

4. A six (6)-month passport from states with which there is a reciprocal agreement will be accepted in lieu of a Certificate of Veterinary Inspection. These passports must have proof of a negative EIA test within thirty (30) days of the date of application of the passport and permanent identification for each horse by means of registered brand, legible tattoo, or microchip; to be recorded on the passport and the VS Form 10-11 or any officially recognized state EIA test chart, along with other identifying characteristics. In the event of confirmed Vesicular Stomatitis in any of the states with which reciprocal agreements exist, use of the six (6)-month passport will be suspended by the state veterinarian of Missouri.

5. Alteration or substitution of any information on any VS Form 10-11 including certified photocopies and certified facsimiles or an official copy of a Certificate of Veterinary Inspection shall cause the document to be invalid and in violation of sections 267.010 to 267.730, RSMo, and may result in civil penalties not to exceed ten thousand dollars (\$10,000) per violation and subject to expulsion.

6. Venezuelan Equidae Encephalomyelitis (VEE) vaccination and entry permit is required prior to entry on equidae originating from states in which VEE has been diagnosed within the preceding twelve (12) months.

7. Any equidae originating from a premises under quarantine for Vesicular Stomatitis shall obtain an entry permit and must include the statement on the Certificate of Veterinary Inspection that "the equidae listed have not been exposed to Vesicular Stomatitis or located within ten (10) miles of a premises quarantined for Vesicular Stomatitis within the past thirty (30) days."

(C) [A certified photocopy or certified facsimile of the VS Form 10-11 (or later revision) or any officially recognized state EIA test chart may be accepted for the purpose of travel or exhibition but not for change of ownership (including leasing or gifting).] The board, organization or manager of each assembly or event is responsible for certifying that all equidae admitted or participating meet the regulations in this section and shall not admit or allow participation of equidae not so certified. Untested equidae shall not be allowed to congregate with other equidae. The owner of each animal shall comply with requirements under sections 267.010 to 267.730, RSMo, and may be assessed civil penalties not to exceed ten thousand dollars (\$10,000) for each violation.

[1. A certified photocopy is one obtained from the testing veterinarian or accredited testing laboratory bearing seal or signature in the lower right hand corner along with the date of certification of photocopy in some ink color other than black.

2. A certified facsimile may be obtained only from the testing veterinarian or accredited testing laboratory and must bear the facsimile imprint of the originating facility clearly across the top of the page. It must also bear the date of the facsimile either along the top or in the lower right hand corner.]

[(D) For the purpose of travel and exhibition, Missouri will accept six (6)-month passports from states with which there is a reciprocal agreement. These passports must meet the following criteria:

1. Proof of negative EIA test within thirty (30) days of the date of application of the passport;

2. Permanent identification for each horse by means of registered brand, legible tattoo, or electronic identification (microchip), to be recorded on the passport and the VS Form 10-11 (or later revision) or any officially recognized state EIA test chart, along with other identifying characteristics;

3. Inspection by an accredited veterinarian;

4. In the event of confirmed vesicular stomatitis in any of the states with which reciprocal agreements exist, use of the six (6)-month passport will be suspended by the state veterinarian of Missouri.

(E) The board, organization or manager of each assembly or event is responsible for insuring that all equidae admitted or participating are accompanied by an official Certificate of Veterinary Inspection or six (6)-month passport, showing proof of a negative EIA test, and shall not admit or allow participation of equidae not so certified. Untested equidae cannot congregate with other equidae. The owner of each animal is also responsible to comply with the requirements under sections 267.010 to 267.730, RSMo, and may be assessed civil penalties not to exceed ten thousand dollars (\$10,000) for each violation.

(F) Alteration or substitution of any information on any VS Form 10-11 (or later revision), including certified photocopy and certified facsimile or Certificate of Veterinary Inspection shall cause the document to be invalid and in violation of sections 267.010 to 267.730, RSMo, and may result in civil penalties not to exceed ten thousand dollars (\$10,000) per violation.

(G) Venezuelan Equidae Encephalomyelitis (VEE) vaccination is required prior to entry on equidae originating from states in which VEE has been diagnosed within the preceding twelve (12) months. An entry permit is also required on equidae from those states.

(H) Any equidae showing signs of infectious or contagious diseases at an exhibition may be excused by the official inspecting veterinarians. When an official inspecting veterinarian is present, all equidae will be subject to daily inspections. Any equidae entering without a proper Certificate of Veterinary Inspection when required and/or EIA test will be excused from the show until proper documentation and tests are obtained.]

(7) Exhibition Requirements [on] for Poultry.

(A) [An official representing the person or organization sponsoring the exhibition shall notify the state veterinarian no later than thirty (30) days prior to the exhibition giving the names, place, inclusive dates and times of the event] Intrastate (Missouri Origin Poultry Moving for Exhibition).

1. All poultry must be free of clinical signs of any infectious or contagious disease.

2. No Certificate of Veterinary Inspection is required.

3. Pullorum-Typhoid test. All poultry exhibited shall be tested negative for pullorum-typhoid within ninety (90) days prior to exhibition or originate from a flock approved by the National Poultry Improvement Plan (NPIP) or an equivalent program which has been tested within the past twelve (12) months with no change of ownership. This information shall be documented on a VS Form 9-2 (see 2 CSR 30-8.020) or similar certificate which shall accompany the poultry to the exhibition and shall be made available on request.

(B) [Record Keeping. The sponsor of the exhibition shall compile a list of all poultry present at the exhibition. The list shall contain the name and address of each owner, the number, species, breed, variety, type, sex and pullorum-typhoid status of all poultry present. A copy of this list shall be retained by the sponsor of the exhibition for at least twelve (12) months after that and shall be made available upon request to a representative of the department.] Interstate (Poultry Entering Missouri for Exhibition Only).

1. All poultry must be free of clinical signs of any infectious or contagious disease.

2. A Certificate of Veterinary Inspection is required.

3. Pullorum-Typhoid test. All poultry exhibited shall be tested negative for pullorum-typhoid within ninety (90) days prior to exhibition or originate from a flock approved by the National Poultry Improvement Plan (NPIP) or an equivalent program which has been tested within the past twelve (12) months with no change of ownership. This information shall be documented on a VS Form 9-2 (see 2 CSR 30-8.020) or similar certificate which shall accompany the poultry to exhibition and shall be made available on request.

4. An entry permit is required.

(C) [Inspection. All poultry to be exhibited must be free of clinical signs of any infectious or contagious disease. A representative of the department shall have access to the exhibits and may conduct inspections and tests as deemed necessary to enforce the requirements of this rule.] Requirements for Sponsoring Exhibitions for Poultry.

1. An official representing the person or organization sponsoring the exhibition shall notify the state veterinarian no later than thirty (30) days prior to the exhibition giving the names, place, inclusive dates and times of the event.

2. Record keeping. The sponsor of the exhibition shall compile a list of all poultry present at the exhibition. The list shall contain the name and address of each owner, the number, species, breed, variety, type, sex and pullorum-typhoid status of all poultry present. A copy of this list shall be retained by the sponsor of the exhibition for at least twelve (12) months and shall be made available upon request to a representative of the department.

3. Inspection. All poultry to be exhibited must be free of

clinical signs of any infectious or contagious disease. A representative of the department shall have access to the exhibits and may conduct inspections and tests as deemed necessary.

4. Pullorum-Typhoid status. All poultry (except Missouri origin waterfowl) exhibited shall be tested negative for pullorum-typhoid within the past ninety (90) days or originate from a flock approved by the National Poultry Improvement Plan (NPIP) or an equivalent program which has been tested within the past twelve (12) months with no change of ownership. This information shall be documented on a VS Form 9-2 (see 2 CSR 30-8.020) or similar certificate which shall accompany the poultry to the exhibition and shall be made available on request.

[(D) Pullorum-Typhoid Status. All poultry (except waterfowl) exhibited shall be tested negative for pullorum-typhoid within the past ninety (90) days or originate from a flock approved by the National Poultry Improvement Plan (NPIP) or an equivalent program which has been tested within the past twelve (12) months with no change of ownership. This information shall be documented on a VS Form 9-2 (see 2 CSR 30-8.020) or similar certificate which shall accompany the poultry to the exhibition and shall be made available on request.]

(8) Exhibition Requirements for Ratites in Missouri.

(A) Intrastate (Missouri Origin [r/Ratites [in Missouri to be exhibited in Missouri only] Moving for Exhibition). [Missouri origin ratites must be accompanied by a Certificate of Veterinary Inspection. Ratites must be individually identified by a means approved by the Missouri state veterinarian.]

1. All ratites must be free of clinical signs of any infectious or contagious disease.

2. A Certificate of Veterinary Inspection is not required.

3. Ratites must be officially identified by leg band, wing band or microchip.

4. No test is required.

(B) Interstate ([r/Ratites from [other] Another [s/State/s moving into] Entering Missouri for [e/Exhibition [o/Only]]. [Ratites must be identified by a means approved by the Missouri state veterinarian and individually identified and listed on a Certificate of Veterinary Inspection.]

1. All ratites must be free of clinical signs of any infectious or contagious disease.

2. All ratites must be accompanied by a Certificate of Veterinary Inspection showing official identification (legible tattoo, microchip, or eartag).

3. No test is required.

4. An entry permit is required.

(9) [Miscellaneous and Exotic Animals. All exotic animals must be accompanied by an official Certificate of Veterinary Inspection showing an individual listing of the common name(s) of the animal(s) and appropriate descriptions of animal(s) such as sex, age, weight, coloration and the permanent tag number, brand or tattoo identification.] Exhibition Requirements for Camels, Llamas and Alpacas.

(A) [Exotic bovids eight (8) months of age and over must have a negative brucellosis test within ninety (90) days prior to exhibition and a negative tuberculosis test within ninety (90) days prior to exhibition. Exotic bovids include *Bos gaurus* (Indian bison, Gaur), *Bos javanicus* (Banteng), *Bos sauveli* (Kouprey), *Bos grunniens* (domesticated yak), *Bubalus bubalis* (water buffalo), *Bubalus mindorensis* (Tamarau), *Bubalus quarlesi* (Mountain Anoa), *Bubalus depressicornis* (Lowland Anoa) and *Snycerus caffer* (buffalo group).] Intrastate (Missouri Origin Camels, Llamas and Alpacas Moving for Exhibition).

1. All camels, llamas, and alpacas must be free of clinical signs of any infectious or contagious disease.

2. No Certificate of Veterinary Inspection is required.
3. No testing is required.

(B) *[Camels, llamas, alpaca and others of that group must be officially identified by tattoo, microchip, eartag or other approved device and be individually listed on a Certificate of Veterinary Inspection.]* Interstate (Camels, Llamas and Alpacas Entering Missouri for Exhibition Only).

1. All camels, llamas and alpacas must be free of clinical signs of any infectious or contagious disease.

2. All camels, llamas and alpacas must be accompanied by a Certificate of Veterinary Inspection showing official identification (legible tattoo, microchip, or eartag).

3. No tests are required.

4. No entry permit is required.

[(C) *Exotic goats, sheep and antelope. No tests are required on these animals.*

(D) *Exotic equidae, donkeys, asses, burros and zebras must meet domestic equidae requirements.*

(E) *Feral swine, javalena, and peccaries must be in compliance with domestic swine requirements.*

(F) *Elephants (Asiatic, African) must be tested negative for tuberculosis within one (1) year prior to exhibition.*

(G) *Importation of skunks and raccoons into Missouri is prohibited by the Missouri Wildlife Code (3 CSR 10-9).*

(H) *Animals moving between publicly-owned American Zoological and Aquariums (AZA)-accredited zoos are exempt from section (9) except cervids moving between publicly-owned American Zoological and Aquariums (AZA)-accredited zoos must meet the chronic wasting disease monitoring requirements as outlined in subsection (10)(E).]*

(10) Exhibition Requirements for *[Captive Cervids]* Dogs and Cats.

(A) *[Captive cervids entering and moving in Missouri for exhibition must have an entry permit issued by the state veterinarian's office and a Certificate of Veterinary Inspection.]* Intrastate (Missouri Origin Dogs and Cats Moving for Exhibition).

1. All dogs and cats must be free of clinical signs of any infectious or contagious disease.

2. No Certificate of Veterinary Inspection is required.

3. Dogs and cats four (4) months of age or older must be vaccinated for rabies by one (1) of the methods and within the time period published in the current *Compendium of Animal Rabies Vaccines* by the National Association of State Public Health Veterinarians, Inc., incorporated by reference and made a part of this rule, as published by the United States Superintendent of Documents, 732 N Capital Street NW, Washington, DC 20402-0001, phone: toll free (866) 512-1800; DC area (202) 512-1800, email <http://bookstore.gpo.gov>. This rule does not incorporate any subsequent amendments or additions.

(B) *[Captive cervids entering and moving in Missouri for exhibition must be in compliance with the guidelines as incorporated by reference to the Bovine Tuberculosis Eradication Uniform Methods and Rules, Effective January 22, 1999 and Brucellosis in Cervidae: Uniform Methods and Rules, Effective September 30, 1998 published by USDA, Veterinary Services, Animal Health Program, 4700 River Road, Unit 36, Riverdale, MD 20737-1231; telephone 301-734-6954; e-mail www.aphis.usda.gov/vs. This rule does not incorporate any subsequent amendments or additions.]* Interstate (Dogs and Cats Entering Missouri for Exhibition Only).

1. All dogs and cats must be free of clinical signs of any infectious or contagious disease.

2. Dogs and cats must be accompanied by a Certificate of Veterinary Inspection or copy of an electronic Certificate of Veterinary Inspection.

3. All dogs and cats over four (4) months of age must be individually listed with the rabies vaccination listed by one (1) of the methods and within the time period published in the current *Compendium of Animal Rabies Vaccines* prepared by the National Association of State Public Health Veterinarians, Inc., incorporated by reference and made a part of this rule, as published by the United States Superintendent of Documents, 732 N Capital Street NW, Washington, DC 20402-0001, phone: toll free (866) 512-1800; DC area (202) 512-1800, email <http://bookstore.gpo.gov>. This rule does not incorporate any subsequent amendments or additions.

4. No entry permit is required.

[(C) *Brucellosis.*

1. *All sexually intact animals six (6) months of age and older, not under quarantine and not affected with brucellosis, must test negative for brucellosis within thirty (30) days prior to exhibition, except:*

A. *Brucellosis-free herd—captive cervids originating from certified brucellosis-free herds may exhibit on herd status without additional testing provided the certified herd number and current test date is shown on the Certificate of Veterinary Inspection.*

B. *Brucellosis-monitored herd—all sexually intact animals six (6) months of age or older must test negative for brucellosis within ninety (90) days prior to exhibition.*

(D) *Tuberculosis.*

1. *Captive cervids not known to be affected with or exposed to tuberculosis and not in a status herd, as defined in the Bovine Tuberculosis Eradication Uniform Methods and Rules, Effective January 22, 1999, must have two (2) negative tuberculosis tests, not less than ninety (90) days apart, using the single cervical method prior to exhibition. The second test must be within ninety (90) days prior to exhibition. Both negative test dates must be listed on the Certificate of Veterinary Inspection. Animals must have been isolated from other captive cervids during the test period.*

2. *Movement from status herds.*

A. *Accredited-herd—captive cervids originating from accredited tuberculosis-free cervid herds as defined by the Bovine Tuberculosis Eradication Uniform Methods and Rules, Effective January 22, 1999, may exhibit on herd status without additional testing provided the accredited herd number and current test date is shown on the Certificate of Veterinary Inspection.*

B. *Qualified herd—captive cervids originating from a qualified herd as defined by the Bovine Tuberculosis Eradication Uniform Methods and Rules, Effective January 22, 1999, must have one (1) negative tuberculosis test, using the single cervical method, within ninety (90) days prior to the date of exhibition.*

C. *Monitored herd—captive cervids originating from a monitored herd as defined by the Bovine Tuberculosis Eradication Uniform Methods and Rules, Effective January 22, 1999, must have one (1) negative tuberculosis test, using the single cervical method, within ninety (90) days prior to the date of exhibition.*

D. *Captive cervids less than twelve (12) months of age that originate from and were born in qualified or monitored herds may enter Missouri for exhibition without further tuberculosis testing, provided that they are accompanied by a Certificate of Veterinary Inspection stating that such captive cervids originated from such herds and have not been exposed to captive cervids from a lower status herd.*

(E) *Chronic Wasting Disease (CWD).*

1. *Captive cervids will not be allowed to enter Missouri for exhibition if within the last five (5) years the animal is:*

A. *From an area that has been reported as a CWD endemic area;*

B. Been in a CWD endemic area; or

C. Originate from a CWD positive captive herd.

2. Elk, elk-hybrids, red deer, sika deer, white-tailed deer, and mule deer from all states must have participated in a surveillance program since 2002 prior to entering Missouri. An additional year of surveillance will be required each year until five (5) years of surveillance is reached.

3. Other captive cervids other than elk, elk-hybrids, red deer, sika deer, white-tailed deer and mule deer must have participated in a surveillance program recognized by the state of origin prior to entering Missouri for exhibition.

4. All captive white-tailed deer that entered Missouri with two (2) years of CWD monitoring in an approved surveillance program and remained in Missouri at the time of death, must be tested for CWD.]

AUTHORITY: section 267.645, RSMo 2000. Emergency rule filed June 28, 1977, effective July 8, 1977, expired Nov. 5, 1977. Original rule filed June 28, 1977, effective Oct. 13, 1977. For intervening history, please consult the *Code of State Regulations*. Amended: Filed May 7, 2007.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri Department of Agriculture, Taylor H. Woods, D.V.M., Acting State Veterinarian, PO Box 630 Jefferson City, MO 65102, by facsimile at (573) 751-6919 or via email at Taylor.Woods@mda.mo.gov. Comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

Title 10—DEPARTMENT OF NATURAL RESOURCES

Division 10—Air Conservation Commission

Chapter 6—Air Quality Standards, Definitions, Sampling and Reference Methods and Air Pollution Control Regulations for the Entire State of Missouri

PROPOSED AMENDMENT

10 CSR 10-6.110 Submission of Emission Data, Emission Fees and Process Information. The commission proposes to amend section (1) and subsections (3)(A) and (3)(D); and add new subsections (2)(A), (2)(B), (2)(C), and (2)(D). If the commission adopts this rule action, it will be submitted to the U.S. Environmental Protection Agency to replace the current rule in the Missouri State Implementation Plan. The evidence supporting the need for this proposed rulemaking is available for viewing at the Missouri Department of Natural Resources' Air Pollution Control Program at the address and phone number listed in the Notice of Public Hearing at the end of this rule. More information concerning this rulemaking can be found at the Missouri Department of Natural Resources' Environmental Regulatory Agenda website, www.dnr.mo.gov/regs/regagenda.htm.

PURPOSE: This rule deals with submittal of emission information, emission fees and public availability of emission data. It provides procedures for collection, recording and submittal of emission data and process information on state-supplied Emission Inventory Questionnaire (EIQ) and Emission Statement forms, or in a format satisfactory to the director, so that the state can calculate emissions

for the purpose of state air resource planning. This amendment will establish emission fees for Missouri facilities as required annually, align state rule reporting requirements with the federal Consolidated Emissions Reporting Rule (CERR) and decrease required EIQ frequency for affected installations. The evidence supporting the need for this proposed rulemaking, per section 536.016, RSMo, is section 643.079, RSMo and August 31, 2006 Air Program Advisory Forum Meeting Notes.

(1) Applicability.

(A) This rule applies to any installation that: notifies and accepts a permit-by-rule under 10 CSR 10-6.062, is required to obtain a permit under 10 CSR 10-6.060 or 10 CSR 10-6.065, is required to file an Emission Inventory Questionnaire (EIQ) as outlined in the Reporting Frequency table in paragraph (3)(A)/5./6. of this rule, or is required by the staff director to prove its potential emissions are below *de minimis* levels.

(B) An **annual** emission statement (**Form 2.0Z**) is required of facilities in an **ozone nonattainment area** if the actual emission of either nitrogen oxides (NO_x), volatile organic compounds (VOCs) or carbon monoxide (CO) are equal to or greater than ten (10) tons annually. [Emission statement (Form 2.0Z) requirements in this rule are applicable only to sources located in nonattainment areas.] After the effective date of this rule, any revision to the annual emission statement (Form 2.0Z) will be presented to the regulated community for a forty-five (45)-day comment period.

(2) Definitions. [Definitions of certain terms specified in this rule may be found in 10 CSR 10-6.020.]

(A) **Peak Ozone Season**—The time period (the months of June 1 through August 31) used in calculating ozone nonattainment area emissions on Form 2.0Z.

(B) **Consolidated Emissions Reporting Rule (CERR)**—A U.S. Environmental Protection Agency (EPA) rule designed to simplify federal reporting and unify state and local agency reporting dates.

(C) **Reporting Year**—The state reporting requirement will coincide with the three (3) year reporting cycle of the CERR beginning with 2008. The subsequent reporting years will be every three (3) years following 2008 (i.e., 2011, 2014, 2017, etc.).

(D) Definitions of certain terms specified in this rule, other than those specified in this rule section, may be found in 10 CSR 10-6.020.

(3) General Provisions.

(A) Record Keeping and Reporting Requirements.

1. The owner or operator of an installation that is a source of any air contaminant shall collect, record and maintain, during each calendar year of operation—the time period and duration of emissions; the amounts of processed materials, fuels and solvents consumed; and the amounts of process materials, fuels and solvents stored in tanks and storage piles which emit any regulated air pollutant.

2. The owner or operator of an installation subject to paragraph (3)(A)1. of this rule shall file with the director, on the frequency specified in paragraph (3)(A)/5./6. of this rule, reports containing the information specified in paragraph (3)(A)1. of this rule. The reports shall specify the type and location of all sources of regulated air pollutants and the amount of each type of regulated air pollutant at each location; the size and height of all emission outlets, stacks and vents; the processes employed, including all fuel combustion and incineration; the type of air pollution control equipment used at the installation; the capture efficiency and control efficiency of the air pollution control equipment, where applicable; and ozone season information (Form 2.0Z) from sources located in nonattainment areas. Capture efficiency shall be applicable to emission points which are controlled by air pollution control devices and are not fully

enclosed. Capture efficiency is not applicable to fugitive dust. The department encourages facilities to perform tests to determine capture efficiency. Industrial ventilation principles and engineering calculations may be used if testing is physically impossible or cost prohibitive. If testing or engineering calculation is not possible, then a default value of fifty percent (50%) capture efficiency may be used. Documentation verifying the capture efficiency shall be included with the EIQ. The owner or operator may submit a report containing information of a different nature provided the information submitted is adequate for the purposes of air quality planning and fee assessment and is approved by the director. Information submitted shall be reduced by the director to emission data as defined in 10 CSR 10-6.210(3)(B)2.

3. The reports required by paragraphs (3)(A)2. and 4. of this rule shall be completed on state supplied EIQ forms or in a form satisfactory to the director and shall be submitted to the director *[within ninety (90) days]* by June 1 after the end of each reporting period. After the effective date of this rule, any revision to the EIQ forms will be presented to the regulated community for a forty-five (45)-day comment period. The reporting periods for an installation, as determined by the reporting frequency specified in paragraph (3)(A)5./6. of this rule, shall end on December 31 of each calendar year. Sources allowed to file reports once every five (5) years shall submit the EIQ on the same schedule as the operating permit renewal application. Each report shall contain the information required by paragraph (3)(A)2. of this rule for each air contaminant source at the installation for the twelve (12)-month period immediately preceding the end of the reporting period, in addition to the information required under paragraph (3)(A)1. of this rule to be collected, recorded and maintained during each year of operation of the installation.

4. For sources located in **ozone** nonattainment areas, an emission statement is required if the actual emission of *[either]* nitrogen oxides (NO_x), volatile organic compounds (VOCs) or carbon monoxide (CO) *[are]* is equal to or greater than ten (10) tons *[annually]* for any one (1) pollutant during the Peak Ozone Season. Emissions of each pollutant shall be reported if a facility meets the ten (10) ton threshold for any of the three (3) pollutants. Emissions statement reporting requirements shall be completed on state supplied EIQ forms and include the information required at paragraph (3)(A)2. of this rule and ozone season information for VOC, NO_x and CO emissions and any other criteria pollutant requested by the director. After the effective date of this rule, any revision to the EIQ forms will be presented to the regulated community for a forty-five (45)-day comment period. Emission statements shall be submitted in accordance with the schedule in paragraph (3)(A)5./6. of this rule.

5. All data collected and recorded in support of the provisions of this rule shall be retained in accordance with the requirements in section (4) of this rule by the owner or operator for not less than five (5) years after the end of the calendar year in which the data was collected and all these records shall be made available to the director upon his/her request.

5./6. The reports required by paragraphs (3)(A)2. and 4. of this rule shall be filed on the following frequency:

Reporting Frequency

| Installation Classification | Emission Inventory Questionnaire | |
|--|---|---|
| | Nonattainment Area | All Other |
| 1. Any installation required to obtain a Part 70[,] or Intermediate [or Basic] State Operating Permit under 10 CSR 10-6.065. | Annually | Annually |
| 2. Any installation required to obtain a Basic State Operating Permit under 10 CSR 10-6.065. | Once every three (3) years | Once every three (3) years |
| 3./4. Any installation required to obtain a construction permit under 10 CSR 10-6.060 or accepting a permit-by-rule under 10 CSR 10-6.062, but not an operating permit. | Once every [five (5) years] six (6) years | Once every [five (5) years] six (6) years |
| 3./4. Any installation required to submit an EIQ by the director. | Within forty-five (45) days of request | Within forty-five (45) days of request |
| 4./5. Any ozone nonattainment area installation whose actual emissions of VOC, NO _x or CO <i>[are]</i> is equal to or greater than ten (10) tons/[year] for any one (1) pollutant during the Peak Ozone Season. | Annually, an emission statement is required | Exempt, no emission statement required |

[6. All data collected and recorded in accordance with the provisions of this rule shall be retained by the owner or operator for not less than five (5) years after the end of the calendar year in which the data was collected and all these records shall be made available to the director upon his/her request.]

(D) Emission Fees.

1. Any air contaminant source required to obtain a permit under sections 643.010–643.190, RSMo, except sources that produce charcoal from wood, shall pay an annual emission fee, regardless of their EIQ reporting frequency, of *[thirty-four dollars and fifty cents (\$34.50)]* **forty dollars and no cents (\$40.00)** per ton of regulated air pollutant emitted starting with calendar year *[2006]* **2007** in accordance with the conditions specified in paragraph (3)(D)2. of this rule. Sources which are required to file reports once every *[five (5)]* **three (3) or six (6)** years may use the information in their most recent EIQ to determine their annual emission fee **if they have an EIQ on file. Sources that increase or decrease emissions by twenty percent (20%) will be required to provide a complete (rather than the short form) EIQ for that year and every CERR reporting year thereafter (i.e., 2011, 2014, 2017, etc. as applicable).**

2. General requirements.

A. The fee shall apply to the first four thousand (4,000) tons of each regulated air pollutant emitted. However, no air contaminant source shall be required to pay fees on total emissions of regulated air pollutants in excess of twelve thousand (12,000) tons in any calendar year. A permitted air contaminant source which emitted less than one (1) ton of all regulated pollutants shall pay a fee equal to the amount of one (1) ton.

B. The fee shall be based on the information provided in the facility's EIQ.

C. An air contaminant source which pays emissions fees to a holder of a certificate of authority issued pursuant to section 643.140, RSMo, may deduct those fees from the emission fee due under this section.

D. The fee imposed under paragraph (3)(D)1. of this rule shall not apply to *[carbon oxide]* **ammonia, carbon monoxide, and PM_{2.5} particulate matter** emissions.

E. The fees for emissions produced during the previous calendar year shall be due June 1 each year for all United States Department of Labor Standard Industrial Classifications. The fees shall be payable to the Department of Natural Resources.

F. All Emissions Inventory Questionnaire forms or equivalent approved by the director shall be due **annually on June 1** *[each year]* **according to the required reporting schedules in paragraph (3)(A)6. of this rule** for all United States Department of Labor Standard Industrial Classifications.

G. For the purpose of determining the amount of air contaminant emissions on which the fees are assessed, a facility shall be considered one (1) source under the definition of section 643.078.2, RSMo, except that a facility with multiple operating permits shall pay emission fees separately for air contaminants emitted under each individual permit.

3. Fee collection. The annual changes to this rule to establish emission fees for a specific year do not relieve any source from the payment of emission fees for any previous year.

AUTHORITY: section 643.050, RSMo 2000. Original rule filed June 13, 1984, effective Nov. 12, 1984. For intervening history, please consult the **Code of State Regulations**. Amended: Filed May 14, 2007.

PUBLIC COST: This proposed amendment will result in an annualized aggregate gain in revenue of \$1,575,390 for the Department of Natural Resources. This gain in revenue takes into account an annualized aggregate cost of four hundred seventy-five thousand three hundred forty-one dollars (\$475,341) for other public entities.

PRIVATE COST: This proposed amendment will result in an annualized aggregate cost of six hundred sixty-four thousand eight hundred fifty-two dollars (\$664,852) for private entities.

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: A public hearing on this proposed amendment will begin at 9:00 a.m., July 26, 2007. The public hearing will be held at the Elm Street Conference Center, 1738 East Elm Street, Lower Level, Roaring River Conference Room, Jefferson City, Missouri. Opportunity to be heard at the hearing shall be afforded any interested person. Written request to be heard should be submitted at least seven (7) days prior to the hearing to Director, Missouri Department of Natural Resources' Air Pollution Control Program, 1659 E. Elm Street, PO Box 176, Jefferson City, MO 65102-0176, (573) 751-4817. Interested persons, whether or not heard, may submit a written statement of their views until 5:00 p.m., August 2, 2007. Written comments shall be sent to Chief, Operations Section, Missouri Department of Natural Resources' Air Pollution Control Program, 1659 E. Elm Street, PO Box 176, Jefferson City, MO 65102-0176.

**FISCAL NOTE
PUBLIC ENTITY COST**

I. RULE NUMBER

Title: 10 - Department of Natural Resources

Division: 10 - Air Conservation Commission

Chapter: 6 - Air Quality Standards, Definitions, Sampling and Reference Methods and Air Pollution
Control Regulations for the Entire State of Missouri

Type of Rulemaking: Proposed Amendment

Rule Number and Name: 10 CSR 10 - 6.110 Submission of Emission Data, Emission Fees and Process
Information

II. SUMMARY OF FISCAL IMPACT

| | |
|--|---|
| Affected Agency or Political Subdivision | Estimated Cost of Compliance in the Aggregate |
| Total Net Gain For This Amendment | \$ 1,575,390 |

Cost estimates are reported as annualized aggregates.

III. WORKSHEET

| | FY2008* | FY2009 | FY2010 | FY2011 | FY2012 |
|---------|-------------|-------------|-------------|-------------|-------------|
| EQ Fees | \$1,767,293 | \$1,768,974 | \$1,770,657 | \$1,772,342 | \$1,774,029 |

| FY2013 | FY2014 | FY2015 | FY2016 | FY2017 | FY2018* |
|-------------|-------------|-------------|-------------|-------------|---------|
| \$1,775,717 | \$1,777,406 | \$1,779,098 | \$1,780,790 | \$1,782,485 | \$0 |

| EQ Fee Costs | | | |
|------------------------|-------------|-------------|----------------------|
| | FY2008 | FY2009** | Annualized Aggregate |
| EQ Fees (\$40.00 Fee) | \$1,767,293 | \$1,768,974 | \$1,774,879 |

| EQ Fee Costs | | | |
|------------------------|-------------|-------------|----------------------|
| | FY2008 | FY2009** | Annualized Aggregate |
| EQ Fees (\$34.50 Fee) | \$1,382,674 | \$1,363,508 | \$1,299,538 |

| | |
|---|-------------|
| Aggregate EQ Fee Cost For This Amendment*** | \$475,341 |
| Increase In Public Entity Fee Revenue For This Amendment*** | \$2,076,932 |
| Resulting Gain In Public Entity Fee Revenue For This Amendment*** | \$1,601,591 |

*See Assumption 3.

**The first full fiscal year for this rulemaking is FY2009.

***Difference in annualized aggregate costs when raising \$34.50 fee to \$40.00 .

Estimated decreased costs for this proposed rule amendment with decreased reporting requirements.

| | FY2008* | FY2009 | FY2010 | FY2011 | FY2012 |
|----------|---------|----------|----------|----------|---------|
| EIQ Fees | \$0 | \$33,484 | \$33,484 | \$33,484 | \$2,908 |

| FY2013 | FY2014 | FY2015 | FY2016 | FY2017 | FY2018 | FY2019* |
|----------|----------|---------|----------|----------|---------|---------|
| \$37,846 | \$37,846 | \$4,362 | \$37,846 | \$37,846 | \$2,908 | \$0* |

* Costs for the last 1/2 of the fiscal year are zero since fees are submitted in the first 1/2 of fiscal year

| | |
|--|-------------|
| Total Aggregate Reduction in Costs Due to Reduced Reporting Requirements | \$26,201 |
| Total Aggregate Gain in Public Entity Fee Revenue | \$1,601,591 |
| Total Net Gain For This Amendment | \$1,575,390 |

List of Affected Entities:

| Source Description | Number of Facilities |
|------------------------|----------------------|
| Gas & Electric | 48 |
| Sanitary Services | 32 |
| Hospitals | 16 |
| Rehabilitation Centers | 2 |
| Schools | 10 |
| Correctional Facility | 14 |
| National Security | 6 |
| Post Office | 2 |
| Transportation | 3 |
| Other | 10 |
| Totals | 143 |

IV. ASSUMPTIONS

1. For the convenience of calculating this fiscal note over a reasonable time frame, the life of the rule is assumed to be ten (10) years although the duration of the rule is indefinite. If the life of the rule extends beyond ten years, the annual costs for additional years will be consistent with the assumptions used to calculate annual costs as identified in this fiscal note.
2. The public entity costs are fee collection estimates and reduced reporting cost reductions. The costs are based on the most recent data available to the department and are expected to be more accurate than previous fiscal notes for the same fiscal years.
3. The fees for emissions produced during the previous calendar year are received in the last half of the fiscal year.
4. Cost and affected entity estimates are based on data presently entered in the tracking systems of the Missouri Department of Natural Resources' Air Pollution Control Program. This data is subject to change

as additional information is reviewed, updated, and entered.

5. Fees for public entities are based on \$40.00 per ton of regulated air pollutant for calendar 2007. This fee represents an increase of \$5.50 from the emissions fee of \$34.50 per ton of regulated air pollutant for calendar year 2006.
6. The emission fees paid by public entities may vary depending on their current information and their chargeable emissions with fees remaining relatively constant. However, new controls decrease the amount of their emission fees.
7. The percent difference between the two most recent years of actual facility emissions is used to project future year facility emissions.
8. Compliance and EIQ preparation costs reported on EIQs through the 2006 rulemaking are not included in this fiscal note because these costs are not a result of this rulemaking. Compliance and preparation costs have been included in fiscal notes for the rulemakings that implemented these requirements.
9. The 2007 rulemaking includes compliance and EIQ preparation costs associated with changing the state reporting requirements to align them with the federal Consolidated Emission Reporting Rule.
10. The current number of EIQs submitted will remain constant for ten (10) years. (The number of new EIQs required will be the same number as facility closures.)
11. Average costs to complete EIQs is based on the 2005 preparation costs submitted on EIQs.
12. The three (3) year full EIQ reporting frequency for basic permits starts in 2005 and will require a full EIQ every three (3) years thereafter.
13. Three hundred fifty (350) of one the thousand forty-one (1041) basic permits will be eligible for the EZ EIQ reporting only requiring a full EIQ every three (3) years.
14. Half the facilities with no operating permit but still required to submit EIQs will submit a full EIQ in 2008 and every six (6) thereafter. The remainder of the facilities will start the six (6) year full EIQ submittal cycle in 2011.
15. All facilities eligible for the EZ EIQ and/or reduced EIQ reporting will do so.
16. Calculations assume that the number of permits by category will remain constant in future years.
17. The estimate EZ and Fee Only EIQ preparation costs will be \$100.00 since only minimal review is required.
18. This fiscal note only includes estimated costs for changes that are being made as a result of this proposed rule amendment.

**FISCAL NOTE
PRIVATE ENTITY COST****I. RULE NUMBER**Title: 10 - Department of Natural ResourcesDivision: 10 - Air Conservation CommissionChapter: Air Quality Standards, Definitions, Sampling and Reference Methods and Air Pollution
Control Regulations for the Entire State of MissouriType of Rulemaking: Proposed AmendmentRule Number and Name: 10 CSR 10 - 6.110 Submission of Emission Data, Emission Fees and Process
Information**II. SUMMARY OF FISCAL IMPACT**

| Estimate of the number of entities by class which would likely be affected by the adoption of the proposed rule: | Classification by types of the business entities which would likely be affected: | Estimate in the aggregate as to the cost of compliance with the rule by the affected entities: |
|--|--|--|
| 2,318 Facilities (see attached list) | See attached list. | \$ 664,852 |

Cost estimates are reported as annualized aggregates.

III. WORKSHEET

| | FY2008* | FY2009 | FY2010 | FY2011 | FY2012 |
|---------|-------------|-------------|-------------|-------------|-------------|
| EQ Fees | \$8,925,835 | \$8,934,328 | \$8,942,829 | \$8,951,339 | \$8,959,856 |

| FY2013 | FY2014 | FY2015 | FY2016 | FY2017 | FY2018* |
|-------------|-------------|-------------|-------------|-------------|---------|
| \$8,968,381 | \$8,976,915 | \$8,985,457 | \$8,994,007 | \$9,002,565 | \$0 |

| EQ Fee Costs | | | |
|------------------------|-------------|-------------|----------------------|
| | FY2008 | FY2009** | Annualized Aggregate |
| EQ Fees (\$40.00 Fee) | \$8,925,835 | \$8,934,328 | \$8,964,151 |

| EQ Fee Costs | | | |
|------------------------|-------------|-------------|----------------------|
| | FY2008 | FY2009** | Annualized Aggregate |
| EQ Fees (\$34.50 Fee) | \$7,812,287 | \$7,703,996 | \$7,362,560 |

| | |
|--|-------------|
| Total Aggregate Cost For This Amendment*** | \$1,601,591 |
|--|-------------|

*See Assumption 3.

**The first full fiscal year for this rulemaking is FY2009.

***Difference in annualized aggregate costs when raising \$34.50 fee to \$40.00 .

Estimated decreased costs of this proposed rule amendment with decreased reporting requirements.

| | FY2008* | FY2009 | FY2010 | FY2011 | FY2012 |
|----------|---------|-----------|-----------|-----------|-----------|
| EIQ Fees | \$0 | \$876,242 | \$876,242 | \$876,242 | \$460,918 |

| FY2013 | FY2014 | FY2015 | FY2016 | FY2017 | FY2018 | FY2019* |
|-------------|-------------|-----------|-------------|-------------|-----------|---------|
| \$1,338,614 | \$1,338,614 | \$462,372 | \$1,338,614 | \$1,338,614 | \$460,918 | \$0* |

* Costs for the last 1/2 of the fiscal year are zero since fees are submitted in the first 1/2 of fiscal year

| | |
|--|-------------|
| Total Aggregate Reduction in Costs Due to Reduced Reporting Requirements | \$936,739 |
| Total Aggregate Cost Due To Increased Fee | \$1,601,591 |
| Total Net Cost For This Amendment | \$664,852 |

IV. ASSUMPTIONS

1. For the convenience of calculating this fiscal note over a reasonable time frame, the life of the rule is assumed to be ten (10) years although the duration of the rule is indefinite. If the life of the rule extends beyond ten years, the annual costs for additional years will be consistent with the assumptions used to calculate annual costs as identified in this fiscal note.
2. The public entity costs are fee collection estimates and reduced reporting cost reductions. The costs are based on the most recent data available to the department and are expected to be more accurate than previous fiscal notes for the same fiscal years.
3. The fees for emissions produced during the previous calendar year are received in the last half of the fiscal year.
4. Cost and affected entity estimates are based on data presently entered in the tracking systems of the Missouri Department of Natural Resources' Air Pollution Control Program. This data is subject to change as additional information is reviewed, updated, and entered.
5. Fees for private entities are based on \$40.00 per ton of regulated air pollutant for calendar 2007. This fee represents an increase of \$5.50 from the emissions fee of \$34.50 per ton of regulated air pollutant for calendar year 2006.
6. The emission fees paid by private entities may vary depending on their current information and their chargeable emissions with fees remaining relatively constant. However, new controls decrease the amount of their emission fees.
7. The percent difference between the two most recent years of actual facility emissions is used to project future year facility emissions.
8. Compliance and EIQ preparation costs reported on EIQs through the 2006 rulemaking are not included in this fiscal note because these costs are not a result of this rulemaking. Compliance and preparation costs have been included in fiscal notes for the rulemakings that implemented these requirements.
9. The 2007 rulemaking includes compliance and EIQ preparation costs associated with changing the state

reporting requirements to align them with the federal Consolidated Emission Reporting Rule.

10. The current number of EIQs submitted will remain constant for ten (10) years. (The number of new EIQs required will be the same number as facility closures.)
11. Average costs to complete EIQs is based on the 2005 preparation costs submitted on EIQs.
12. The three (3) year full EIQ reporting frequency for basic permits starts in 2005 and will require a full EIQ every three (3) years thereafter.
13. Three hundred fifty (350) of one the thousand forty-one (1041) basic permits will be eligible for the EZ EIQ reporting only requiring a full EIQ every three (3) years.
14. Half the facilities with no operating permit but still required to submit EIQs will submit a full EIQ in 2008 and every six (6) thereafter. The remainder of the facilities will start the six (6) year full EIQ submittal cycle in 2011.
15. All facilities eligible for the EZ EIQ and/or reduced EIQ reporting will do so.
16. Calculations assume that the number of permits by category will remain constant in future years.
17. The estimate EZ and Fee Only EIQ preparation costs will be \$100.00 since only minimal review is required.
18. This fiscal note only includes estimated costs for changes that are being made as a result of this proposed rule amendment.

List of Affected Entities:

| <u>SIC Code</u> | <u>SIC Description</u> | <u># of 2005 Facilities</u> |
|------------------------|---|------------------------------------|
| 01 | AGRICULTURAL PRODUCTION-CROPS | 0 |
| 02 | AGRICULTURAL PRODUCTION-LIVESTOCK AND ANIMAL SPECIALTIES | 2 |
| 07 | AGRICULTURAL SERVICES | 67 |
| 08 | FORESTRY | 0 |
| 09 | FISHING, HUNTING AND TRAPPING | 0 |
| 10 | METAL MINING | 10 |
| 12 | COAL MINING | 4 |
| 13 | OIL AND GAS EXTRACTION | 0 |
| 14 | MINING AND QUARRYING OF NONMETALLIC | 317 |
| 15 | BUILDING CONSTRUCTION-GENERAL CONTRACTORS AND OPERATIVE | 0 |
| 16 | HEAVY CONSTRUCTION OTHER THAN BUILDING CONSTRUCTION | 0 |
| 17 | CONSTRUCTION-SPECIAL TRADE CONTRACTORS | 4 |
| 20 | FOOD AND KINDRED PRODUCTS | 105 |
| 21 | TOBACCO PRODUCTS | 0 |
| 22 | TEXTILE MILL PRODUCTS | 0 |
| 23 | APPAREL AND OTHER FINISHED PRODUCTS MADE FROM FABRICS | 0 |
| 24 | LUMBER AND WOOD PRODUCTS, EXCEPT | 59 |

List of Affected Entities:

| <u>SIC Code</u> | <u>SIC Description</u> | <u># of 2005 Facilities</u> |
|-----------------|---|-----------------------------|
| | FURNITURE | |
| 25 | FURNITURE AND FIXTURES | 18 |
| 26 | PAPER AND ALLIED PRODUCTS | 26 |
| 27 | PRINTING, PUBLISHING, AND ALLIED | 53 |
| 28 | CHEMICALS AND ALLIED PRODUCTS | 127 |
| 29 | PETROLEUM REFINING AND RELATED | 129 |
| 30 | RUBBER AND MISCELLANEOUS PLASTICS PRODUCTS | 60 |
| 31 | LEATHER AND LEATHER PRODUCTS | 5 |
| 32 | STONE, CLAY, GLASS, AND CONCRETE PRODUCTS | 350 |
| 33 | PRIMARY METAL INDUSTRIES | 47 |
| 34 | FABRICATED METAL PRODUCTS, EXCEPT MACHINERY AND TRANSPORTATION | 74 |
| 35 | INDUSTRIAL AND COMMERCIAL MACHINERY AND COMPUTER EQUIPMENT | 43 |
| 36 | ELECTRONIC AND OTHER ELECTRICAL EQUIPMENT AND COMPONENTS | 26 |
| 37 | TRANSPORTATION EQUIPMENT | 58 |
| 38 | MEASURING, ANALYZING, AND CONTROLLING INSTRUMENTS | 3 |
| 39 | MISCELLANEOUS MANUFACTURING INDUSTRIES | 16 |
| 40 | RAILROAD TRANSPORTATION | 0 |
| 41 | LOCAL AND SUBURBAN TRANSIT AND INTERURBAN HIGHWAY PASSENGER | 1 |
| 42 | MOTOR FREIGHT TRANSPORTATION AND WAREHOUSING | 15 |
| 43 | UNITED STATES POSTAL SERVICE | 1 |
| 44 | WATER TRANSPORTATION | 4 |
| 45 | TRANSPORTATION BY AIR | 8 |
| 46 | PIPELINES, EXCEPT NATURAL GAS | 22 |
| 47 | TRANSPORTATION SERVICES | 1 |
| 48 | COMMUNICATIONS | 6 |
| 49 | ELECTRIC, GAS, SANITARY SERVICES, AND LANDFILLS | 165 |
| 50 | WHOLESALE TRADE-DURABLE GOODS | 18 |
| 51 | WHOLESALE TRADE-NON-DURABLE GOODS | 154 |
| 52 | BUILDING MATERIALS, HARDWARE, GARDEN | 0 |
| 53 | GENERAL MERCHANDISE STORES | 0 |
| 54 | FOOD STORES | 2 |
| 55 | AUTOMOTIVE DEALERS AND GASOLINE | 1 |

List of Affected Entities:

| <u>SIC Code</u> | <u>SIC Description</u> | <u># of 2005 Facilities</u> |
|-----------------|---|-----------------------------|
| | SERVICE STATIONS | |
| 56 | APAREL AND ACCESSORY STORES | 0 |
| 57 | HOME FURNITURE, FURNISHINGS, AND EQUIPMENT STORES | 0 |
| 58 | EATING AND DRINKING PLACES | 0 |
| 59 | MISCELLANEOUS RETAIL | 1 |
| 60 | DEPOSITORY INSTITUTIONS | 0 |
| 61 | NONDEPOSITORY CREDIT INSTITUTIONS | 0 |
| 62 | SECURITY & COMMODITY BROKERS, DEALERS | 0 |
| 63 | INSURANCE CARRIERS | 0 |
| 64 | INSURANCE AGENTS, BROKERS AND SERVICES | 0 |
| 65 | REAL ESTATE | 1 |
| 67 | HOLDING AND OTHER INVESTMENT OFFICES | 0 |
| 70 | HOTELS, ROOMING HOUSES, CAMPS, AND OTHER LODGING PLACES | 1 |
| 72 | PERSONAL SERVICES AND DRY CLEANERS | 341 |
| 73 | BUSINESS SERVICES | 8 |
| 75 | AUTOMOTIVE REPAIR, SERVICES, AND PARKING | 5 |
| 76 | MISCELLANEOUS REPAIR SERVICES | 3 |
| 78 | MOTION PICTURES | 0 |
| 79 | AMUSEMENT AND RECREATION SERVICES | 1 |
| 80 | HEALTH SERVICES | 51 |
| 81 | LEGAL SERVICES | 0 |
| 82 | EDUCATIONAL SERVICES | 15 |
| 83 | SOCIAL SERVICES | 2 |
| 84 | MUSEUMS, ART GALLERIES, AND BOTANICAL | 1 |
| 86 | MEMBERSHIP ORGANIZATIONS | 0 |
| 87 | ENGINEERING, ACCOUNTING, RESEARCH, MANAGEMENT, AND RELATED | 7 |
| 88 | PRIVATE HOUSEHOLDS | 0 |
| 89 | SERVICES NOT ELSEWHERE CLASSIFIED | 0 |
| 91 | EXECUTIVE, LEGISLATIVE, AND GENERAL GOVERNMENT, EXCEPT FINANCE | 1 |
| 92 | JUSTICE, PUBLIC ORDER AND SAFETY | 14 |
| 93 | PUBLIC FINANCE, TAXATION & MONETARY | |
| 94 | ADMINISTRATION OF HUMAN RESOURCE PERSONNEL | |
| 95 | ADMINISTRATION OF ENVIRONMENTAL QUALITY AND HOUSING PROGRAMS | 1 |
| 96 | ADMINISTRATION OF ECONOMIC PROGRAMS | |

List of Affected Entities:

| <u>SIC Code</u> | <u>SIC Description</u> | <u># of 2005 Facilities</u> |
|-----------------|---|-----------------------------|
| 97 | NATIONAL SECURITY AND INTERNATIONAL AFFAIRS | 7 |
| 99 | UNKNOWN | |
| | Total | <hr/> 2461 |

**Title 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
REGISTRATION
Division 2110—Missouri Dental Board
Chapter 2—General Rules**

PROPOSED AMENDMENT

20 CSR 2110-2.190 Shade Verification. The board is proposing to amend section (2).

PURPOSE: The board is proposing to bring the rule into compliance with the provisions of Senate Bill Number 756 which will change the retention time to maintain laboratory work orders from two (2) years to seven (7) years.

(2) The executed work order shall be retained by the nondentist for [two (2)] **seven (7)** years from the date appearing on the order. A copy of the work order shall be retained by the dentist for [two (2)] **seven (7)** years from the date appearing on the order or the date of prescription.

AUTHORITY: section 332.031, RSMo [1986] 2000. This rule originally filed as 4 CSR 110-2.190. Original rule filed April 14, 1982, effective Oct. 11, 1982. Moved to 20 CSR 2110-2.190, effective Aug. 28, 2006. Amended: Filed May 14, 2007.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri Dental Board, Sharlene Rimiller, Executive Director, PO Box 1367, Jefferson City, MO 65102, by faxing (573) 751-8216 or via email at dental@pr.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**Title 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
REGISTRATION
Division 2110—Missouri Dental Board
Chapter 2—General Rules**

PROPOSED AMENDMENT

20 CSR 2110-2.210 Notice of Injury or Death. The board is proposing to amend section (1).

PURPOSE: This rule requires a dentist to file a report and notify the board of any injury requiring hospitalization, or death resulting from the administration of any sedation.

(1) A dentist who practices in this state shall submit a report to the board within thirty (30) days of any mortality or any [incident] **injury** requiring hospitalization **within the dentist's knowledge** which occurs to a patient during or [as a result] **within twenty-four (24) hours** of administration of local anesthesia, nitrous oxide inhalation analgesia, conscious sedation with parenteral **or enteral** drugs, deep sedation, or general anesthesia, while under the care of the dentist.

AUTHORITY: section 332.031, RSMo [Supp. 1997] 2000. This rule originally filed as 4 CSR 110-2.210. Original rule filed Oct. 13, 1983, effective Jan. 13, 1984. Rescinded and readopted: Filed Sept. 15, 1998, effective April 30, 1999. Moved to 20 CSR 2110-2.210, effective Aug. 28, 2006. Amended: Filed May 14, 2007.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri Dental Board, Sharlene Rimiller, Executive Director, PO Box 1367, Jefferson City, MO 65102, by faxing (573) 751-8216 or via email at dental@pr.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**Title 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
REGISTRATION
Division 2200—State Board of Nursing
Chapter 4—General Rules**

PROPOSED AMENDMENT

20 CSR 2200-4.020 Requirements for Licensure. The board is proposing to amend paragraph (1)(C)3., section (3), subsection (5)(A), sections (8), (9) and (11), and subsections (12)(C) and (E).

PURPOSE: This amendment allows foreign educated applicants to submit evidence of successful completion of the Test of English as a Foreign Language (TOEFL), Test of English for International Communication (TOEIC) or International English Language Testing System (IELTS). Additionally, pursuant to Executive Order 06-04 the Division of Professional Registration was transferred from the Department of Economic Development, Title 4, to the Department of Insurance, Financial Institutions and Professional Registration, Title 20. Therefore, references to 4 CSR 200 are being amended throughout the rule.

(1) Examination.

(C) The candidate shall make written application to the Missouri State Board of Nursing for permission to be admitted to the licensing examination for professional/practical nurses. Application forms for the licensing examination shall be obtained from the Missouri State Board of Nursing.

1. A request for forms shall be made by the director of the program of professional/practical nursing and should include the names and completion dates of candidates who expect to apply for admission to the examination.

2. Application forms for out-of-state/country graduates may be obtained by contacting the State Board of Nursing, giving name, address, name and address of school of nursing and completion date.

3. Any applicant applying for the practical nurse licensing examination who is deficient in theory, clinical experience, or both, as stated in [4 CSR 200] **20 CSR 2200**, Chapter 3—Practical Nursing, and has not earned a practical nursing degree or met the requirements for a comparable period of training as determined by the board pursuant to [4 CSR 200-4.020(1)(B)] **20 CSR 2200-4.020(1)(B)**, will not be approved.

(3) A graduate of a nursing program may practice as a graduate nurse until [s/he] **he/she** has received the results of the first licensure

examination taken by the nurse or until ninety (90) days after graduation, whichever first occurs.

(5) Licensure by Endorsement in Missouri—Registered Nurses (RNs) and Licensed Practical Nurses (LPNs).

(A) A professional/practical nurse licensed in another state or territory of the United States or Canada shall be entitled to licensure provided qualifications are equivalent to the requirements of Missouri at the time of original licensure. This equivalency shall be defined as—

1. Evidence of completion and graduation from an accredited program of professional/practical nursing;

2. Attainment of a passing standard score or pass designation as determined by the Missouri State Board of Nursing on the licensing examination or attainment of an acceptable grade in areas comparable to those required in Missouri at the time licensure was secured in the state of original licensure;

3. Evidence of completion of the applicable secondary education set forth in section 335.046, RSMo requirements or the equivalent as determined by the State Department of Education;

4. Applicants who are not citizens of the United States who have completed programs in schools of professional/practical nursing in states which require citizenship for licensure may take the National Council Licensure Examination for professional/practical nurses in Missouri if they meet all of Missouri's requirements; and

5. If an individual was licensed by waiver as a practical/vocational nurse in another state, territory or foreign country prior to July 1, 1955, and the individual meets the requirements for licensure as a practical nurse in Missouri which were in effect at the time the individual was licensed in the other jurisdiction, *[s/he] he/she* is eligible for licensure in Missouri as an LPN. If an individual is licensed by waiver in another state after July 1, 1955, *[s/he] he/she* does not qualify for licensure by waiver in Missouri as a practical nurse.

(8) Intercountry Licensure by Examination in Missouri—RN and LPN.

(A) Application Procedure.

1. A professional/practical nurse licensed outside of the United States or Canada shall be entitled to apply to take the examination for licensure if, in the opinion of the Missouri State Board of Nursing, current requirements for licensure in Missouri are met.

2. An applicant must request, in writing, an Application for Professional/Practical Nurse Licensure by Examination. The request shall include the applicant's full name, current mailing address and country of original licensure. The application shall be properly executed by the applicant in black ink and shall be included in the documents submitted to the Missouri State Board of Nursing for evaluation with the required credentials. All original documents shall be returned to the applicant. Credentials in a foreign language shall be translated into English, the translation shall be signed by the translator and the signature shall be notarized by a notary public. The translation shall be attached to the credentials in a foreign language when submitted to the Missouri State Board of Nursing.

3. The required credentials for practical nurse applicants are—

A. A course-by-course evaluation report received directly from a foreign credentials evaluation service approved by the board;

B. A photostatic copy of birth certificate (if a copy of birth certificate is not available, copy of baptismal certificate, passport or notarized statement from an authorized agency will be accepted as verification of name, date of birth and place of birth);

C. Photostatic copy of marriage license/certificate (if applicable);

D. *[TOEFL certificate indicating successful completion of examination. Foreign practical nurse applicants from non-English speaking countries or from English speaking countries with different native language shall be required to take the TOEFL and attain a minimum score of fifty (50) in each section of the paper-based examination OR a minimum score*

of sixteen (16) in the Computer-Based Listening, eighteen (18) in the Computer-Based Structure/Writing, and fifteen (15) in the Computer-Based Reading section of the Computer-Based Test of English as a Foreign Language (TOEFL) Examination. When the applicant achieves a passing score (as defined above) in each section of the test, the board of nursing will not address itself to that section should there be a required repeat of the examination for other sections;] Evidence of English-language proficiency by any of the following:

(I) Test of English as a Foreign Language (TOEFL) www.toefl.org with a passing score of 540 on the paper examination or a passing score of 207 for the computerized examination; or

(II) Test of English for International Communication (TOEIC) www.toEIC.com with a passing score of 725; or

(III) International English Language Testing System (IELTS) www.ielts.org with a passing score in the academic module of 6.5 and the Spoken Band score of 7;

E. Test of Spoken English (TSE®) Certificate indicating that the applicant has obtained a minimum overall score of *[forty-five (45);/ fifty (50)]*;

F. Photostatic copy of original license issued by the licensing agency where original licensure/registration was secured by examination; and

G. The completed application must be accompanied by one (1) two-inch by two-inch (2"× 2") portrait/photograph of the applicant, and proof of submission of fingerprints to the Missouri State Highway Patrol's approved vendor for both a Missouri State Highway Patrol and Federal Bureau of Investigation fingerprint background check. Proof shall consist of any documentation acceptable to the board. Any fees due for fingerprint background checks shall be paid by the *[application]* applicant directly to the Missouri State Highway Patrol or its approved vendor, and the required application fee. All fees are nonrefundable.

4. The required credentials for professional nurse applicants are—

A. *[Commission on Graduates of Foreign Nursing Schools (CGFNS) Certificate. The CGFNS agency must forward the certificate to our office. This certification must signify a passing grade on the CGFNS English language and nursing practice proficiency examination as evidence of meeting similar qualifications of graduates of nursing programs in Missouri for the purpose of qualifying for admission to the licensure examination;]* A course-by-course evaluation report received directly from a credentials evaluation service approved by the board and evidence of English-language proficiency. Any of the following is considered evidence of English-language proficiency:

(I) Test of English as a Foreign Language (TOEFL) www.toefl.org with a passing score of 540 on the paper examination or a passing score of 207 for the computerized examination; or

(II) Test of English for International Communication (TOEIC) www.toEIC.com with a passing score of 725; or

(III) International English Language Testing System (IELTS) www.ielts.org with a passing score in the academic module of 6.5 and the Spoken Band score of 7.

B. A photostatic copy of birth certificate (if a copy of birth certificate is not available, a copy of baptismal certificate, passport or notarized statement from authorized agency will be accepted as verification of name, date of birth and place of birth);

C. Photostatic copy of original license or certificate issued by the licensing agency where original licensure/registration was secured by examination;

D. Photostatic copy of marriage license/certificate (if applicable); and

E. The completed examination application with the required examination fee, one (1) two-inch by two-inch (2"× 2") portrait/ photograph of the applicant, and proof of submission of fingerprints to the Missouri State Highway Patrol's approved vendor for both a Missouri State Highway Patrol and Federal Bureau of Investigation fingerprint background check. Proof shall consist of any documentation acceptable to the board. Any fees due for fingerprint background check shall be paid by the application directly to the Missouri State Highway Patrol or its approved vendor. All the credentials shall be submitted to the Missouri State Board of Nursing.

(9) Guidelines for Evaluating Intercountry Transcripts.

(A) An applicant who has secured original licensure outside of the United States and has been licensed by examination in another state, territory or Canada may be licensed in Missouri if the applicant qualifies for licensure by endorsement from that state, territory or Canada under section (4). Each applicant under this section must cause a photostatic copy of a nursing transcript to be provided to the board office, except that RN applicants instead may cause the CGFNS to submit directly to the board office a CGFNS certificate *[indicating successful completion of the CGFNS examination in place of the school of nursing transcript.]* or a course-by-course evaluation report received directly from a credentials evaluation service approved by the board and evidence of English-language proficiency. Any of the following is considered evidence of English-language proficiency:

1. Test of English as a Foreign Language (TOEFL) www.toefl.org with a passing score of 540 on the paper examination or a passing score of 207 for the computerized examination; or

2. Test of English for International Communication (TOEIC) www.toEIC.com with a passing score of 725; or

3. International English Language Testing System (IELTS) www.ielts.org with a passing score in the academic module of 6.5 and the Spoken Band score of 7.

(11) Inactive Licenses.

(B) Individuals wishing to reactivate licenses after being carried as inactive shall request a Petition for Renewal from the Missouri State Board of Nursing. Fees shall be accepted only if accompanied by a completed Petition for Renewal. Back fees shall not be required for the years the licensee's records were carried as inactive. The Petition for Renewal shall show, under oath or affirmation of the nurse, a statement—

1. That the nurse is not presently practicing nursing in Missouri; and

2. As to whether the nurse did practice nursing while the license was inactive and, if so, how long and where. If the nurse was practicing nursing in Missouri at the time his/her license was inactive, *[s/he] he/she* also must submit a notarized statement indicating that *[s/he] he/she* ceased working as soon as *[s/he] he/she* realized that the license was inactive. In addition, the nurse must cause his/her employer to submit a statement on the employer's letterhead stationery or a notarized statement indicating that the nurse ceased working as soon as *[s/he] he/she* realized that the license was inactive.

(12) Lapsed Licenses, When—Procedures for Reinstatement.

(C) A nurse whose license has lapsed in Missouri for thirty (30) days or more, but fewer than three (3) years, must petition the State Board of Nursing for renewal of the license on a form furnished by the board. Accompanying the petition shall be a late renewal fee and the fee for the current renewal period as outlined in *[4 CSR 200-4.010]* **20 CSR 2200-4.010**. If the nurse has practiced nursing in Missouri while the license was lapsed, in order to renew, the licensee must pay the lapsed fee, the renewal fee for each year *[s/he] he/she* practiced nursing in Missouri and the fee for the current renewal period. This petition shall show under oath or affirmation of the

nurse—

1. A statement that the nurse is not presently practicing nursing in Missouri;

2. A statement as to whether the nurse did practice nursing while the license was lapsed and, if so, how long and where; and

3. If the nurse was practicing nursing in Missouri at the time his/her license was lapsed, *[s/he] he/she* must submit a notarized statement indicating that *[s/he] he/she* ceased working as soon as *[s/he] he/she* realized that the license was lapsed. In addition, the nurse must cause his/her employer to submit a statement on the employer's letterhead stationery or a notarized statement indicating that the nurse ceased working as soon as *[s/he] he/she* realized that the license was lapsed.

AUTHORITY: sections 335.036(2) and (7), 335.046 and 335.051, RSMo 2000. This rule originally filed as 4 CSR 200-4.020. Original rule filed Oct. 14, 1981, effective Jan. 14, 1982. For intervening history, please consult the Code of State Regulations. Amended: Filed May 14, 2007.

PUBLIC COST: The proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will cost private entities approximately thirty-nine thousand three hundred seventy-six dollars (\$39,376) annually for the life of the rule. It is anticipated that the total cost will recur annually for the life of the rule with a continuous annual increase of seven hundred thirty-six dollars (\$736).

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the State Board of Nursing, Lori Scheidt, Executive Director, PO Box 656, Jefferson City, MO 65102, by fax at (573) 751-0075 or via email at nursing@pr.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

PRIVATE ENTITY FISCAL NOTE

I. RULE NUMBER

Title 20 -Department of Insurance, Financial Institutions, and Professional Registration

Division 2200 - State Board of Nursing

Chapter 4 - General Rules

Proposed Amendment - 20 CSR 2200-4.020 Requirements for Licensure

Prepared January 22, 2007 by the Division of Professional Registration

II. SUMMARY OF FISCAL IMPACT

| Estimate the number of entities by class which would likely be affected by the adoption of the proposed amendment: | Classification by type of the business entities which would likely be affected: | Estimated biennial cost of compliance with the amendment by affected entities: |
|--|---|--|
| 107 | Applicants \$368 | \$39,376 |
| Estimated Annual Cost of Compliance for the Life of the Rule | | \$39,376 with a continuous annual increase of \$736.00 |

III. WORKSHEET

See table above.

IV. ASSUMPTION

1. During FY06 the board licensed 2 LPNs and 105 RNs that were internationally educated.
2. The board anticipates a 2% increase in the number of applicants affected by this amendment annually. Therefore, the board estimates annual increase of \$736.00.
3. It is anticipated that the total cost will recur annually for the life of the rule, may vary with inflation and is expected to increase annually at the rate projected by the Legislative Oversight Committee.

**Title 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
REGISTRATION**

**Division 2270—Missouri Veterinary Medical Board
Chapter 2—Licensure Requirements for Veterinarians**

PROPOSED AMENDMENT

20 CSR 2270-2.021 Internship or Veterinary Candidacy Program. The board is proposing to amend to sections (1), (3), (4) and (5).

PURPOSE: This amendment clarifies the length of time required to complete an internship/preceptorship.

(1) All applicants for licensure by examination shall complete a *[two (2)-month] three hundred twenty (320) hour* postgraduate internship or veterinary candidacy program under the supervision of a licensed veterinarian in good standing or demonstrate the practice of veterinary medicine without encumbrance in another state or jurisdiction at least twelve (12) months prior to application for licensure in Missouri. To be in good standing the veterinarian's license(s) must be current and unencumbered. The postgraduate internship or veterinary candidacy program may be completed in any state, territory or district of the United States or Canada.

(3) The purpose of the internship or veterinary candidacy program is to provide the applicant with at least three hundred twenty (320) hours of work experience in veterinary medicine under supervision prior to licensure.

(A) This *[practice] experience* shall include, at a minimum, diagnosis, treatment, surgery and practice management.

(B) **No more than twelve (12) hours in any single day shall be counted as part of the three hundred twenty (320) hours.**

(4) An applicant may complete the internship or veterinary candidacy program under a provisional license at any time after graduation. *[S/he] He/she* may take the examinations for licensure prior to the internship or veterinary candidacy program.

(5) Completion of a student preceptor program which is recognized and approved by the board prior to graduation may be substituted for the internship or veterinary candidacy program. The board shall have the sole discretion as to whether or not the preceptor program will qualify in lieu of the internship or veterinary candidacy program. This program shall be defined by the curriculum of the veterinary school or university and must include a minimum of *[two (2) months during which time the student has at least]* three hundred twenty (320) hours of work experience in the following areas: diagnosis, treatment, surgery and practice management. The student preceptor program may not begin before the start of the student's third year and must be completed prior to the date of graduation or demonstration that the applicant has practiced in another state or jurisdiction for the preceding twelve (12) months prior to application for licensure in Missouri and that the applicant's license(s) in another state or jurisdiction has never been the subject of any disciplinary action.

AUTHORITY: sections 340.200 and 340.246, *RSMo Supp. 2006 and 340.210, RSMo 2000. This rule originally filed as 4 CSR 270-2.021. Original rule filed Nov. 4, 1992, effective June 1, 1994. Amended: Filed July 23, 1993, effective March 10, 1994. Amended: Filed April 13, 2001, effective Oct. 30, 2001. Amended: Filed June 28, 2002, effective Dec. 30, 2002. Moved to 20 CSR 2270-2.021, effective Aug. 28, 2006. Amended: Filed May 14, 2007.*

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri Veterinary Medical Board, Attention: Dana Hoelscher, PO Box 633, Jefferson City, MO 65102, via fax at (573) 526-3856 or via email at vets@pr.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**Title 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
REGISTRATION**

**Division 2270—Missouri Veterinary Medical Board
Chapter 2—Licensure Requirements for Veterinarians**

PROPOSED AMENDMENT

20 CSR 2270-2.031 Examinations. The board is proposing to amend sections (1) and (5).

PURPOSE: This rule is being amended to provide consistency with the North American Veterinary Licensing Examination deadline.

(1) All applicants for licensure as veterinarians in Missouri shall take the North American Veterinary Licensing Examination (NAVLE) or its successor and the State Board Examination. The deadline for applying to take the NAVLE **shall be ninety-two (92) days prior to the scheduled commencement date of the test window.** *[and t/The State Board Examination deadline shall be sixty (60) days prior to the scheduled [commencement date of the test window] date of the examination.*

(5) All applicants for veterinary licensure in Missouri shall take the State Board Examination and **may be requested to** meet with the board. In order to qualify for licensure, a passing score on the State Board Examination must have been received within two (2) years of issuance of the license.

AUTHORITY: sections 340.210, *RSMo 2000 and 340.234, RSMo Supp. [1999] 2006. This rule originally filed as 4 CSR 270-2.031. Original rule filed Nov. 4, 1992, effective July 8, 1993. Amended: Filed April 14, 1994, effective Sept. 30, 1994. Amended: Filed July 31, 2000, effective Jan. 30, 2001. Moved to 20 CSR 2270-2.031, effective Aug. 28, 2006. Amended: Filed May 14, 2007.*

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri Veterinary Medical Board, Attention: Dana Hoelscher, PO Box 633, Jefferson City, MO 65102, via fax at (573) 526-3856 or via email at vets@pr.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**Title 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
REGISTRATION**

**Division 2270—Missouri Veterinary Medical Board
Chapter 4—Minimum Standards**

PROPOSED AMENDMENT

20 CSR 2270-4.011 Minimum Standards for Veterinary Facilities.

The board is proposing to amend section (4) and add a new section (7).

PURPOSE: This amendment establishes specific requirements for specialty facilities and provides a licensure classification for such facilities. Pursuant to Executive Order 06-04 the Division of Professional Registration was transferred from the Department of Economic Development, Title 4, to the Department of Insurance, Financial Institutions and Professional Registration, Title 20. This amendment corrects the reference to 4 CSR within the text of the rule to reflect this transfer.

(4) Satellite or Out-Patient Clinic.

(C) These clinics also shall comply with the sanitary and sterilization provisions of [4 CSR 270-4.011(2)] **20 CSR 2270-4.011(2)**.

(7) Specialty Facilities.

(A) An application for a facility permit to practice veterinary medicine appropriately limited to procedures such as training, rehabilitation, and other modalities not requiring facilities otherwise permitted by the board, shall be submitted in writing and include:

1. A description of the procedures to be utilized;
2. The classes of practitioners who will practice in the facility;
3. The design of the facility; and
4. The location of the facility.

(B) Specialty facilities shall comply with all applicable building codes and zoning regulations.

(C) The name of the facility shall be prominently displayed on a legible sign.

(D) The name of the veterinarian responsible for the facility shall be legibly posted on the sign.

(E) The facility shall be maintained in a clean and sanitary manner.

(F) The practice of the facility shall be strictly limited to that approved by the board, except in an emergency. Such emergencies shall be reported to the board in writing within seventy-two (72) hours of the occurrence.

AUTHORITY: sections 340.210, 340.224 and 340.264, RSMo 2000. This rule originally filed as 4 CSR 270-4.011. Original rule filed Nov. 4, 1992, effective July 8, 1993. Amended: Filed April 14, 1994, effective Sept. 30, 1994. Amended: Filed Dec. 1, 2005, effective June 30, 2006. Moved to 20 CSR 2270-4.011, effective Aug. 28, 2006. Amended: Filed May 14, 2007.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri Veterinary Medical Board, Attention: Dana Hoelscher, PO Box 633, Jefferson City, MO 65102, via fax at (573) 526-3856 or via email at vets@pr.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

This section will contain the final text of the rules proposed by agencies. The order of rulemaking is required to contain a citation to the legal authority upon which the order of rulemaking is based; reference to the date and page or pages where the notice of proposed rulemaking was published in the *Missouri Register*; an explanation of any change between the text of the rule as contained in the notice of proposed rulemaking and the text of the rule as finally adopted, together with the reason for any such change; and the full text of any section or subsection of the rule as adopted which has been changed from that contained in the notice of proposed rulemaking. The effective date of the rule shall be not less than thirty (30) days after the date of publication of the revision to the *Code of State Regulations*.

The agency is also required to make a brief summary of the general nature and extent of comments submitted in support of or opposition to the proposed rule and a concise summary of the testimony presented at the hearing, if any, held in connection with the rulemaking, together with a concise summary of the agency's findings with respect to the merits of any such testimony or comments which are opposed in whole or in part to the proposed rule. The ninety (90)-day period during which an agency shall file its order of rulemaking for publication in the *Missouri Register* begins either: 1) after the hearing on the proposed rulemaking is held; or 2) at the end of the time for submission of comments to the agency. During this period, the agency shall file with the secretary of state the order of rulemaking, either putting the proposed rule into effect, with or without further changes, or withdrawing the proposed rule.

**Title 2—DEPARTMENT OF AGRICULTURE
Division 80—State Milk Board
Chapter 2—Grade A Pasteurized Milk Regulations**

ORDER OF RULEMAKING

By the authority vested in the State Milk Board under section 196.939, RSMo 2000, the board amends a rule as follows:

2 CSR 80-2.010 Definitions is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on March 15, 2007 (32 MoReg 526-527). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No public hearing was held. No written comments were received during the comment period.

**Title 2—DEPARTMENT OF AGRICULTURE
Division 80—State Milk Board
Chapter 2—Grade A Pasteurized Milk Regulations**

ORDER OF RULEMAKING

By the authority vested in the State Milk Board under section 196.939, RSMo 2000, the board amends a rule as follows:

2 CSR 80-2.020 Sale of Adulterated, Misbranded Milk or Milk Products is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on March 15, 2007 (32 MoReg 527-528). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No public hearing was held. No written comments were received during the comment period.

**Title 2—DEPARTMENT OF AGRICULTURE
Division 80—State Milk Board
Chapter 2—Grade A Pasteurized Milk Regulations**

ORDER OF RULEMAKING

By the authority vested in the State Milk Board under section 196.939, RSMo 2000, the board amends a rule as follows:

2 CSR 80-2.030 Permits is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on March 15, 2007 (32 MoReg 528). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No public hearing was held. No written comments were received during the comment period.

**Title 2—DEPARTMENT OF AGRICULTURE
Division 80—State Milk Board
Chapter 2—Grade A Pasteurized Milk Regulations**

ORDER OF RULEMAKING

By the authority vested in the State Milk Board under section 196.939, RSMo 2000, the board amends a rule as follows:

2 CSR 80-2.040 Labeling is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on March 15, 2007 (32 MoReg 528). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No public hearing was held. No written comments were received during the comment period.

**Title 2—DEPARTMENT OF AGRICULTURE
Division 80—State Milk Board
Chapter 2—Grade A Pasteurized Milk Regulations**

ORDER OF RULEMAKING

By the authority vested in the State Milk Board under section 196.939, RSMo 2000, the board amends a rule as follows:

2 CSR 80-2.050 Inspection Frequency and Procedure is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on March 15, 2007 (32 MoReg 528–529). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No public hearing was held. No written comments were received during the comment period.

**Title 2—DEPARTMENT OF AGRICULTURE
Division 80—State Milk Board
Chapter 2—Grade A Pasteurized Milk Regulations**

ORDER OF RULEMAKING

By the authority vested in the State Milk Board under section 196.939, RSMo 2000, the board amends a rule as follows:

2 CSR 80-2.060 The Examination of Milk and Milk Products
is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on March 15, 2007 (32 MoReg 529). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No public hearing was held. No written comments were received during the comment period.

**Title 2—DEPARTMENT OF AGRICULTURE
Division 80—State Milk Board
Chapter 2—Grade A Pasteurized Milk Regulations**

ORDER OF RULEMAKING

By the authority vested in the State Milk Board under section 196.939, RSMo 2000, the board amends a rule as follows:

2 CSR 80-2.070 Standards for Milk and Milk Products
is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on March 15, 2007 (32 MoReg 530–532). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No public hearing was held. No written comments were received during the comment period.

**Title 2—DEPARTMENT OF AGRICULTURE
Division 80—State Milk Board
Chapter 2—Grade A Pasteurized Milk Regulations**

ORDER OF RULEMAKING

By the authority vested in the State Milk Board under section 196.939, RSMo 2000, the board amends a rule as follows:

2 CSR 80-2.080 Animal Health **is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on March 15, 2007 (32 MoReg 532). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No public hearing was held. No written comments were received during the comment period.

**Title 2—DEPARTMENT OF AGRICULTURE
Division 80—State Milk Board
Chapter 2—Grade A Pasteurized Milk Regulations**

ORDER OF RULEMAKING

By the authority vested in the State Milk Board under section 196.939, RSMo 2000, the board amends a rule as follows:

2 CSR 80-2.091 Milk and Milk Products Which May Be Sold
is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on March 15, 2007 (32 MoReg 532–533). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No public hearing was held. No written comments were received during the comment period.

**Title 2—DEPARTMENT OF AGRICULTURE
Division 80—State Milk Board
Chapter 2—Grade A Pasteurized Milk Regulations**

ORDER OF RULEMAKING

By the authority vested in the State Milk Board under section 196.939, RSMo 2000, the board amends a rule as follows:

2 CSR 80-2.101 Transferring; Delivery Containers; Cooling
is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on March 15, 2007 (32 MoReg 533). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No public hearing was held. No written comments were received during the comment period.

**Title 2—DEPARTMENT OF AGRICULTURE
Division 80—State Milk Board
Chapter 2—Grade A Pasteurized Milk Regulations**

ORDER OF RULEMAKING

By the authority vested in the State Milk Board under section 196.939, RSMo 2000, the board amends a rule as follows:

2 CSR 80-2.110 Milk and Milk Products from Points Beyond the
Limits of Routine Inspection **is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on March 15, 2007 (32 MoReg 533-534). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No public hearing was held. No written comments were received during the comment period.

**Title 2—DEPARTMENT OF AGRICULTURE
Division 80—State Milk Board
Chapter 2—Grade A Pasteurized Milk Regulations**

ORDER OF RULEMAKING

By the authority vested in the State Milk Board under section 196.939, RSMo 2000, the board amends a rule as follows:

**2 CSR 80-2.121 Future Dairy Farms and Milk Plants
is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on March 15, 2007 (32 MoReg 534). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No public hearing was held. No written comments were received during the comment period.

**Title 2—DEPARTMENT OF AGRICULTURE
Division 80—State Milk Board
Chapter 2—Grade A Pasteurized Milk Regulations**

ORDER OF RULEMAKING

By the authority vested in the State Milk Board under section 196.939, RSMo 2000, the board amends a rule as follows:

2 CSR 80-2.130 Personnel Health is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on March 15, 2007 (32 MoReg 534). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No public hearing was held. No written comments were received during the comment period.

**Title 2—DEPARTMENT OF AGRICULTURE
Division 80—State Milk Board
Chapter 2—Grade A Pasteurized Milk Regulations**

ORDER OF RULEMAKING

By the authority vested in the State Milk Board under section 196.939, RSMo 2000, the board amends a rule as follows:

**2 CSR 80-2.141 Procedure When Infection is Suspected
is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on March 15, 2007 (32 MoReg 535). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No public hearing was held. No written comments were received during the comment period.

**Title 2—DEPARTMENT OF AGRICULTURE
Division 80—State Milk Board
Chapter 2—Grade A Pasteurized Milk Regulations**

ORDER OF RULEMAKING

By the authority vested in the State Milk Board under section 196.939, RSMo 2000, the board amends a rule as follows:

2 CSR 80-2.151 Enforcement is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on March 15, 2007 (32 MoReg 535). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No public hearing was held. No written comments were received during the comment period.

**Title 2—DEPARTMENT OF AGRICULTURE
Division 80—State Milk Board
Chapter 2—Grade A Pasteurized Milk Regulations**

ORDER OF RULEMAKING

By the authority vested in the State Milk Board under section 196.939, RSMo 2000, the board amends a rule as follows:

2 CSR 80-2.161 Penalty is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on March 15, 2007 (32 MoReg 535-536). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No public hearing was held. No written comments were received during the comment period.

**Title 2—DEPARTMENT OF AGRICULTURE
Division 80—State Milk Board
Chapter 2—Grade A Pasteurized Milk Regulations**

ORDER OF RULEMAKING

By the authority vested in the State Milk Board under section 196.939, RSMo 2000, the board amends a rule as follows:

2 CSR 80-2.170 Separability Clause is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on March 15,

2007 (32 MoReg 536). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No public hearing was held. No written comments were received during the comment period.

**Title 7—DEPARTMENT OF TRANSPORTATION
Division 10—Missouri Highways and Transportation
Commission
Chapter 10—Contractor Performance Rating to
Determine Responsibility**

ORDER OF RULEMAKING

By the authority vested in the Missouri Highways and Transportation Commission under sections 226.020, 226.130, 227.030 and 227.105, RSMo 2000, the commission amends a rule as follows:

7 CSR 10-10.010 Definitions is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on January 16, 2007 (32 MoReg 133–134). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 7—DEPARTMENT OF TRANSPORTATION
Division 10—Missouri Highways and Transportation
Commission
Chapter 10—Contractor Performance Rating to
Determine Responsibility**

ORDER OF RULEMAKING

By the authority vested in the Missouri Highways and Transportation Commission under sections 226.020, 226.130, 227.030 and 227.105, RSMo 2000, the commission amends a rule as follows:

7 CSR 10-10.030 Rating Categories for Evaluating the Performance of a Contractor is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on January 16, 2007 (32 MoReg 134). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 7—DEPARTMENT OF TRANSPORTATION
Division 10—Missouri Highways and Transportation
Commission
Chapter 10—Contractor Performance Rating to
Determine Responsibility**

ORDER OF RULEMAKING

By the authority vested in the Missouri Highways and Transportation Commission under sections 226.020, 226.130, 227.030 and 227.105, RSMo 2000, the commission amends a rule as follows:

7 CSR 10-10.040 Contractor Performance Project Evaluation Used in Evaluating Contractor Performance is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on January 16, 2007 (32 MoReg 134–135). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 7—DEPARTMENT OF TRANSPORTATION
Division 10—Missouri Highways and Transportation
Commission
Chapter 10—Contractor Performance Rating to
Determine Responsibility**

ORDER OF RULEMAKING

By the authority vested in the Missouri Highways and Transportation Commission under sections 226.020, 226.130, 227.030 and 227.105, RSMo 2000, the commission amends a rule as follows:

7 CSR 10-10.050 Procedure and Schedule for Completing the Contractor Performance Project Evaluation is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on January 16, 2007 (32 MoReg 135–136). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 7—DEPARTMENT OF TRANSPORTATION
Division 10—Missouri Highways and Transportation
Commission
Chapter 10—Contractor Performance Rating to
Determine Responsibility**

ORDER OF RULEMAKING

By the authority vested in the Missouri Highways and Transportation Commission under sections 226.020, 226.130, 227.030 and 227.105, RSMo 2000, the commission amends a rule as follows:

7 CSR 10-10.060 Explanation of Standard Deviation Rating System for All Contractors is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on January 16, 2007 (32 MoReg 136). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 7—DEPARTMENT OF TRANSPORTATION
Division 10—Missouri Highways and Transportation
Commission
Chapter 10—Contractor Performance Rating to
Determine Responsibility**

ORDER OF RULEMAKING

By the authority vested in the Missouri Highways and Transportation Commission under sections 226.020, 226.130, 227.030 and 227.105, RSMo 2000, the commission amends a rule as follows:

7 CSR 10-10.070 Procedure for Annual Rating of Contractors
is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on January 16, 2007 (32 MoReg 136-138). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

Title 7—DEPARTMENT OF TRANSPORTATION
Division 10—Missouri Highways and Transportation
Commission
Chapter 10—Contractor Performance Rating to
Determine Responsibility

ORDER OF RULEMAKING

By the authority vested in the Missouri Highways and Transportation Commission under sections 226.020, 226.130, 227.030 and 227.105, RSMo 2000, the commission amends a rule as follows:

7 CSR 10-10.080 Determination of Nonresponsibility
is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on January 16, 2007 (32 MoReg 138). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

Title 7—DEPARTMENT OF TRANSPORTATION
Division 10—Missouri Highways and Transportation
Commission
Chapter 10—Contractor Performance Rating to
Determine Responsibility

ORDER OF RULEMAKING

By the authority vested in the Missouri Highways and Transportation Commission under sections 226.020, 226.130, 227.030 and 227.105, RSMo 2000, the commission amends a rule as follows:

7 CSR 10-10.090 Reservation of Rights to Recommend or Declare
Persons or Contractors Nonresponsible on Other Grounds
is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on January 16, 2007 (32 MoReg 138-139). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 30—Office of the Director
Chapter 11—Missouri Uniform Crime Reporting
Program

ORDER OF RULEMAKING

By the authority vested in the Missouri Department of Public Safety under section 43.505, RSMo 2000, the director adopts a rule as follows:

11 CSR 30-11.010 Missouri Uniform Crime Reporting Quality
Assurance Review is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on January 16, 2007 (32 MoReg 142). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

Title 15—ELECTED OFFICIALS
Division 30—Secretary of State
Chapter 51—Broker-Dealers, Agents, Investment
Advisers, and Investment Adviser Representatives

ORDER OF RULEMAKING

By the authority vested in the commissioner of securities under section 409.6-605, RSMo Supp. 2006, the commissioner amends a rule as follows:

15 CSR 30-51.180 Exemptions from Registration for Broker-
Dealers, Agents, Investment Advisers, and Investment Adviser
Representatives is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on March 1, 2007 (32 MoReg 415). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

Title 19—DEPARTMENT OF HEALTH AND
SENIOR SERVICES
Division 30—Division of Regulation and Licensure
Chapter 80—Family Care Safety Registry

ORDER OF RULEMAKING

By the authority vested in the Department of Health and Senior Services under sections 210.906, RSMo Supp. 2006 and 210.924, RSMo 2000, the department amends a rule as follows:

19 CSR 30-80.030 Child-Care and Elder-Care Worker
Registration is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on March 1, 2007 (32 MoReg 415-416). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed

amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
REGISTRATION**

**Division 2120—State Board of Embalmers
and Funeral Directors**

Chapter 1—Organization and Description of Board

ORDER OF RULEMAKING

By the authority vested in the State Board of Embalmers and Funeral Directors under sections 333.111 and 333.151.1, RSMo 2000 and 536.023.3, RSMo Supp. 2006, the board amends a rule as follows:

20 CSR 2120-1.010 General Organization is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on March 1, 2007 (32 MoReg 424–427). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
REGISTRATION**

**Division 2120—State Board of Embalmers
and Funeral Directors**

Chapter 1—Organization and Description of Board

ORDER OF RULEMAKING

By the authority vested in the State Board of Embalmers and Funeral Directors under sections 333.011 and 333.111, RSMo 2000, the board amends a rule as follows:

20 CSR 2120-1.040 Definitions is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on March 1, 2007 (32 MoReg 428–430). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
REGISTRATION**

**Division 2120—State Board of Embalmers
and Funeral Directors**

Chapter 2—General Rules

ORDER OF RULEMAKING

By the authority vested in the State Board of Embalmers and Funeral Directors under sections 333.041 and 333.081, RSMo Supp. 2006 and 333.091, 333.111 and 333.121, RSMo 2000, the board amends a rule as follows:

**20 CSR 2120-2.010 Embalmer's Registration and Apprenticeship
is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on March 1, 2007 (32 MoReg 431–432). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
REGISTRATION**

**Division 2120—State Board of Embalmers
and Funeral Directors**

Chapter 2—General Rules

ORDER OF RULEMAKING

By the authority vested in the State Board of Embalmers and Funeral Directors under sections 333.051, 333.091 and 333.111, RSMo 2000, the board amends a rule as follows:

20 CSR 2120-2.040 Licensure by Reciprocity is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on March 1, 2007 (32 MoReg 432–433). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
REGISTRATION**

**Division 2120—State Board of Embalmers
and Funeral Directors**

Chapter 2—General Rules

ORDER OF RULEMAKING

By the authority vested in the State Board of Embalmers and Funeral Directors under section 333.111, RSMo 2000, the board amends a rule as follows:

20 CSR 2120-2.050 Miscellaneous Rules is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on March 1, 2007 (32 MoReg 433). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
REGISTRATION
Division 2120—State Board of Embalmers
and Funeral Directors
Chapter 2—General Rules**

ORDER OF RULEMAKING

By the authority vested in the State Board of Embalmers and Funeral Directors under sections 333.061, RSMo Supp 2006 and 333.111, 333.121 and 333.145, RSMo 2000, the board amends a rule as follows:

20 CSR 2120-2.071 Funeral Establishments Containing a Crematory Area **is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on March 1, 2007 (32 MoReg 433-435). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
REGISTRATION
Division 2120—State Board of Embalmers
and Funeral Directors
Chapter 2—General Rules**

ORDER OF RULEMAKING

By the authority vested in the State Board of Embalmers and Funeral Directors under sections 333.111.1, RSMo 2000 and 192.020 and 333.061, RSMo Supp. 2006, the board amends a rule as follows:

20 CSR 2120-2.090 Preparation Rooms/Embalming Room **is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on March 1, 2007 (32 MoReg 435-436). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
REGISTRATION
Division 2120—State Board of Embalmers
and Funeral Directors
Chapter 2—General Rules**

ORDER OF RULEMAKING

By the authority vested in the State Board of Embalmers and Funeral Directors under section 333.111.1, RSMo 2000, the board amends a rule as follows:

20 CSR 2120-2.100 Fees **is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on March 1, 2007 (32 MoReg 437). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

Rule Changes Since Update to Code of State Regulations

This cumulative table gives you the latest status of rules. It contains citations of rulemakings adopted or proposed after deadline for the monthly Update Service to the *Code of State Regulations*, citations are to volume and page number in the *Missouri Register*, except for material in this issue. The first number in the table cite refers to the volume number or the publication year—30 (2005) and 31 (2006). MoReg refers to *Missouri Register* and the numbers refer to a specific *Register* page, R indicates a rescission, W indicates a withdrawal, S indicates a statement of actual cost, T indicates an order terminating a rule, N.A. indicates not applicable, RUC indicates a rule under consideration, and F indicates future effective date.

| Rule Number | Agency | Emergency | Proposed | Order | In Addition |
|---|---|-----------|--------------|---------------|---------------|
| OFFICE OF ADMINISTRATION | | | | | |
| 1 CSR 10 | State Officials' Salary Compensation Schedule | | | | 30 MoReg 2435 |
| 1 CSR 10-8.010 | Commissioner of Administration | | This Issue | | |
| DEPARTMENT OF AGRICULTURE | | | | | |
| 2 CSR 30-2.040 | Animal Health | | This Issue | | |
| 2 CSR 30-10.010 | Animal Health | | 32 MoReg 578 | | |
| 2 CSR 80-2.010 | State Milk Board | | 32 MoReg 526 | This Issue | |
| 2 CSR 80-2.020 | State Milk Board | | 32 MoReg 527 | This Issue | |
| 2 CSR 80-2.030 | State Milk Board | | 32 MoReg 528 | This Issue | |
| 2 CSR 80-2.040 | State Milk Board | | 32 MoReg 528 | This Issue | |
| 2 CSR 80-2.050 | State Milk Board | | 32 MoReg 529 | This Issue | |
| 2 CSR 80-2.060 | State Milk Board | | 32 MoReg 529 | This Issue | |
| 2 CSR 80-2.070 | State Milk Board | | 32 MoReg 530 | This Issue | |
| 2 CSR 80-2.080 | State Milk Board | | 32 MoReg 532 | This Issue | |
| 2 CSR 80-2.091 | State Milk Board | | 32 MoReg 532 | This Issue | |
| 2 CSR 80-2.101 | State Milk Board | | 32 MoReg 533 | This Issue | |
| 2 CSR 80-2.110 | State Milk Board | | 32 MoReg 533 | This Issue | |
| 2 CSR 80-2.121 | State Milk Board | | 32 MoReg 534 | This Issue | |
| 2 CSR 80-2.130 | State Milk Board | | 32 MoReg 534 | This Issue | |
| 2 CSR 80-2.141 | State Milk Board | | 32 MoReg 535 | This Issue | |
| 2 CSR 80-2.151 | State Milk Board | | 32 MoReg 535 | This Issue | |
| 2 CSR 80-2.161 | State Milk Board | | 32 MoReg 535 | This Issue | |
| 2 CSR 80-2.170 | State Milk Board | | 32 MoReg 536 | This Issue | |
| DEPARTMENT OF CONSERVATION | | | | | |
| 3 CSR 10-4.130 | Conservation Commission | | 32 MoReg 696 | | |
| 3 CSR 10-5.460 | Conservation Commission | | N.A. | 32 MoReg 721 | |
| 3 CSR 10-5.465 | Conservation Commission | | N.A. | 32 MoReg 721 | |
| 3 CSR 10-6.410 | Conservation Commission | | N.A. | 32 MoReg 911 | |
| 3 CSR 10-6.511 | Conservation Commission | | N.A. | 32 MoReg 911R | |
| 3 CSR 10-7.455 | Conservation Commission | | | | 32 MoReg 261 |
| 3 CSR 10-9.105 | Conservation Commission | | N.A. | 32 MoReg 721 | |
| 3 CSR 10-9.220 | Conservation Commission | | N.A. | 32 MoReg 726 | |
| 3 CSR 10-9.353 | Conservation Commission | | N.A. | 32 MoReg 726 | |
| 3 CSR 10-9.560 | Conservation Commission | | N.A. | 32 MoReg 727 | |
| 3 CSR 10-9.565 | Conservation Commission | | N.A. | 32 MoReg 727 | |
| 3 CSR 10-9.625 | Conservation Commission | | N.A. | 32 MoReg 729 | |
| 3 CSR 10-9.627 | Conservation Commission | | N.A. | 32 MoReg 729 | |
| 3 CSR 10-9.628 | Conservation Commission | | N.A. | 32 MoReg 729 | |
| 3 CSR 10-11.125 | Conservation Commission | | N.A. | 32 MoReg 730 | |
| DEPARTMENT OF ECONOMIC DEVELOPMENT | | | | | |
| 4 CSR 262-1.010 | Small Business Regulatory Fairness Board | | 32 MoReg 9 | 32 MoReg 800 | |
| 4 CSR 262-1.020 | Small Business Regulatory Fairness Board | | 32 MoReg 13 | 32 MoReg 800 | |
| 4 CSR 265-9.010 | Division of Motor Carrier and Railroad Safety (Changed to 7 CSR 265-9.010) | | 32 MoReg 15 | 32 MoReg 800 | |
| 4 CSR 265-9.020 | Division of Motor Carrier and Railroad Safety (Changed to 7 CSR 265-9.020) | | 32 MoReg 16 | 32 MoReg 800 | |
| 4 CSR 265-9.040 | Division of Motor Carrier and Railroad Safety (Changed to 7 CSR 265-9.040) | | 32 MoReg 17 | 32 MoReg 801 | |
| 4 CSR 265-9.050 | Division of Motor Carrier and Railroad Safety (Changed to 7 CSR 265-9.050) | | 32 MoReg 19 | 32 MoReg 801 | |
| 4 CSR 265-9.060 | Division of Motor Carrier and Railroad Safety (Changed to 7 CSR 265-9.060) | | 32 MoReg 19 | 32 MoReg 801 | |
| 4 CSR 265-9.070 | Division of Motor Carrier and Railroad Safety (Changed to 7 CSR 265-9.070) | | 32 MoReg 19 | 32 MoReg 801 | |
| 4 CSR 265-9.090 | Division of Motor Carrier and Railroad Safety (Changed to 7 CSR 265-9.090) | | 32 MoReg 20 | 32 MoReg 801 | |
| 4 CSR 265-9.100 | Division of Motor Carrier and Railroad Safety (Changed to 7 CSR 265-9.100) | | 32 MoReg 20 | 32 MoReg 801 | |
| 4 CSR 265-9.110 | Division of Motor Carrier and Railroad Safety (Changed to 7 CSR 265-9.110) | | 32 MoReg 21 | 32 MoReg 801 | |
| 4 CSR 265-9.130 | Division of Motor Carrier and Railroad Safety (Changed to 7 CSR 265-9.130) | | 32 MoReg 24 | 32 MoReg 802 | |
| 4 CSR 265-9.140 | Division of Motor Carrier and Railroad Safety (Changed to 7 CSR 265-9.140) | | 32 MoReg 24 | 32 MoReg 802 | |

| Rule Number | Agency | Emergency | Proposed | Order | In Addition |
|---|---|--------------|---------------------------------|--------------|------------------------------|
| 4 CSR 265-9.150 | Division of Motor Carrier and Railroad Safety (<i>Changed to 7 CSR 265-9.150</i>) | | 32 MoReg 25 | 32 MoReg 802 | |
| DEPARTMENT OF ELEMENTARY AND SECONDARY EDUCATION | | | | | |
| 5 CSR 30-261.040 | Division of Administrative and Financial Services | | 32 MoReg 26 | 32 MoReg 730 | |
| 5 CSR 50-200.050 | Division of School Improvement | | 31 MoReg 1641 | | |
| 5 CSR 50-350.040 | Division of School Improvement | | 32 MoReg 33 | 32 MoReg 730 | |
| 5 CSR 50-500.010 | Division of School Improvement | | 32 MoReg 412 | | |
| 5 CSR 60-100.050 | Division of Career Education | | 31 MoReg 1644R 32 MoReg 629R | | |
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| 5 CSR 80-800.220 | Teacher Quality and Urban Education | | 32 MoReg 759 | | |
| 5 CSR 80-800.230 | Teacher Quality and Urban Education | | 32 MoReg 760 | | |
| 5 CSR 80-800.260 | Teacher Quality and Urban Education | | 32 MoReg 760 | | |
| 5 CSR 80-800.270 | Teacher Quality and Urban Education | | 32 MoReg 761 | | |
| 5 CSR 80-800.280 | Teacher Quality and Urban Education | | 32 MoReg 761 | | |
| 5 CSR 80-800.350 | Teacher Quality and Urban Education | | 32 MoReg 761 | | |
| 5 CSR 80-800.360 | Teacher Quality and Urban Education | | 32 MoReg 762 | | |
| 5 CSR 80-800.380 | Teacher Quality and Urban Education | | 32 MoReg 762 | | |
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| 6 CSR 10-2.080 | Commissioner of Higher Education | | 32 MoReg 303 | 32 MoReg 912 | |
| 6 CSR 10-2.120 | Commissioner of Higher Education | | 32 MoReg 304 | 32 MoReg 912 | |
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| 7 CSR 10-6.070 | Missouri Highways and Transportation Commission | | 32 MoReg 536 | | |
| 7 CSR 10-10.010 | Missouri Highways and Transportation Commission | | 32 MoReg 133 | This Issue | |
| 7 CSR 10-10.030 | Missouri Highways and Transportation Commission | | 32 MoReg 134 | This Issue | |
| 7 CSR 10-10.040 | Missouri Highways and Transportation Commission | | 32 MoReg 135 | This Issue | |
| 7 CSR 10-10.050 | Missouri Highways and Transportation Commission | | 32 MoReg 135 | This Issue | |
| 7 CSR 10-10.060 | Missouri Highways and Transportation Commission | | 32 MoReg 136 | This Issue | |
| 7 CSR 10-10.070 | Missouri Highways and Transportation Commission | | 32 MoReg 136 | This Issue | |
| 7 CSR 10-10.080 | Missouri Highways and Transportation Commission | | 32 MoReg 138 | This Issue | |
| 7 CSR 10-10.090 | Missouri Highways and Transportation Commission | | 32 MoReg 138 | This Issue | |
| 7 CSR 10-25.010 | Missouri Highways and Transportation Commission | | | | 32 MoReg 666 32 MoReg 934 |
| 7 CSR 10-25.030 | Missouri Highways and Transportation Commission (<i>Changed from 12 CSR 20-3.010</i>) | 32 MoReg 521 | 32 MoReg 541 | | |
| 7 CSR 265-9.010 | Motor Carrier and Railroad Safety (<i>Changed from 4 CSR 265-9.010</i>) | | 32 MoReg 15 | 32 MoReg 800 | |
| 7 CSR 265-9.020 | Motor Carrier and Railroad Safety (<i>Changed from 4 CSR 265-9.020</i>) | | 32 MoReg 16 | 32 MoReg 800 | |
| 7 CSR 265-9.040 | Motor Carrier and Railroad Safety (<i>Changed from 4 CSR 265-9.040</i>) | | 32 MoReg 17 | 32 MoReg 801 | |
| 7 CSR 265-9.050 | Motor Carrier and Railroad Safety (<i>Changed from 4 CSR 265-9.050</i>) | | 32 MoReg 19 | 32 MoReg 801 | |
| 7 CSR 265-9.060 | Motor Carrier and Railroad Safety (<i>Changed from 4 CSR 265-9.060</i>) | | 32 MoReg 19 | 32 MoReg 801 | |
| 7 CSR 265-9.070 | Motor Carrier and Railroad Safety (<i>Changed from 4 CSR 265-9.070</i>) | | 32 MoReg 19 | 32 MoReg 801 | |
| 7 CSR 265-9.090 | Motor Carrier and Railroad Safety (<i>Changed from 4 CSR 265-9.090</i>) | | 32 MoReg 20 | 32 MoReg 801 | |
| 7 CSR 265-9.100 | Motor Carrier and Railroad Safety (<i>Changed from 4 CSR 265-9.100</i>) | | 32 MoReg 20 | 32 MoReg 801 | |
| 7 CSR 265-9.110 | Motor Carrier and Railroad Safety (<i>Changed from 4 CSR 265-9.110</i>) | | 32 MoReg 21 | 32 MoReg 801 | |
| 7 CSR 265-9.130 | Motor Carrier and Railroad Safety (<i>Changed from 4 CSR 265-9.130</i>) | | 32 MoReg 24 | 32 MoReg 802 | |
| 7 CSR 265-9.140 | Motor Carrier and Railroad Safety (<i>Changed from 4 CSR 265-9.140</i>) | | 32 MoReg 24 | 32 MoReg 802 | |
| 7 CSR 265-9.150 | Motor Carrier and Railroad Safety (<i>Changed from 4 CSR 265-9.150</i>) | | 32 MoReg 25 | 32 MoReg 802 | |
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| 10 CSR 10-2.390 | Air Conservation Commission | | 31 MoReg 1941 | 32 MoReg 912 | |
| 10 CSR 10-3.090 | Air Conservation Commission | | 32 MoReg 39 | 32 MoReg 918 | |
| 10 CSR 10-4.070 | Air Conservation Commission | | 32 MoReg 40 | 32 MoReg 918 | |
| 10 CSR 10-5.160 | Air Conservation Commission | | 32 MoReg 41 | 32 MoReg 919 | |
| 10 CSR 10-5.220 | Air Conservation Commission | | 32 MoReg 215 | | |
| 10 CSR 10-5.375 | Air Conservation Commission | | 32 MoReg 305R | | |
| 10 CSR 10-5.380 | Air Conservation Commission | | 32 MoReg 305R | | |
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| 10 CSR 20-4.023 | Clean Water Commission | 32 MoReg 395 | 32 MoReg 633 | | |
| 10 CSR 20-4.030 | Clean Water Commission | 32 MoReg 396 | 32 MoReg 636 | | |
| 10 CSR 20-4.061 | Clean Water Commission | 32 MoReg 396 | 32 MoReg 638 | | |
| 10 CSR 20-7.050 | Clean Water Commission | 31 MoReg 1845 | 31 MoReg 2049 | | |
| 10 CSR 23-3.100 | Division of Geology and Land Survey | | 32 MoReg 320 | | |
| 10 CSR 23-5.050 | Division of Geology and Land Survey | | 32 MoReg 322 | | |
| 10 CSR 25-2.020 | Hazardous Waste Management Commission | | 32 MoReg 640 | | |
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| 10 CSR 100-4.010 | Petroleum Storage Tank Insurance Fund Board of Trustees | | 32 MoReg 43 | 32 MoReg 925 | |
| 10 CSR 100-4.020 | Petroleum Storage Tank Insurance Fund Board of Trustees | | 32 MoReg 43 | 32 MoReg 925 | |
| 10 CSR 100-5.010 | Petroleum Storage Tank Insurance Fund Board of Trustees | | 32 MoReg 44 | 32 MoReg 925W | |
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| 10 CSR 140-6.010 | Division of Energy | | 32 MoReg 696 | | |
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| 11 CSR 45-1.090 | Missouri Gaming Commission | | 32 MoReg 579 | | |
| 11 CSR 45-5.051 | Missouri Gaming Commission | | 32 MoReg 581 | | |
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| 12 CSR 10-41.010 | Director of Revenue | 31 MoReg 1935 | 31 MoReg 1991 | 32 MoReg 596 | |
| 12 CSR 20-3.010 | Highway Reciprocity Commission (Changed to 7 CSR 10-25.030) | 32 MoReg 521 | 32 MoReg 541 | | |
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| 13 CSR 70-15.010 | Division of Medical Services | | 32 MoReg 593 | | |
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| 20 CSR 500-5.020 | Property and Casualty | 32 MoReg 401 | 32 MoReg 416 | | |
| 20 CSR 500-5.025 | Property and Casualty | 32 MoReg 403 | 32 MoReg 423 | | |
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| 20 CSR 2245-8.040 | Real Estate Appraisers | | 32 MoReg 90 | 32 MoReg 933 | |
| 20 CSR 2245-8.050 | Real Estate Appraisers | | 32 MoReg 92 | 32 MoReg 933 | |
| 20 CSR 2263-2.032 | State Committee for Social Workers | | 32 MoReg 152 | 32 MoReg 803 | |
| 20 CSR 2263-2.050 | State Committee for Social Workers | | 32 MoReg 154 | 32 MoReg 804 | |
| 20 CSR 2263-2.052 | State Committee for Social Workers | | 32 MoReg 156 | 32 MoReg 804 | |
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| 20 CSR 2270-2.021 | Missouri Veterinary Medical Board | | This Issue | | |
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| 22 CSR 10-2.010 | Health Care Plan | 32 MoReg 209 | 32 MoReg 245 | 32 MoReg 804 | |
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| 22 CSR 10-2.067 | Health Care Plan | 32 MoReg 210 | 32 MoReg 249 | 32 MoReg 805 | |
| 22 CSR 10-2.090 | Health Care Plan | 32 MoReg 211R | 32 MoReg 252R | 32 MoReg 805R | |

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| 7 CSR 10-25.030 Apportion Registration | 32 MoReg 521 | August 29, 2007 |
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| 10 CSR 20-4.023 State Forty Percent Construction Grant Program | 32 MoReg 395 | August 30, 2007 |
| 10 CSR 20-4.030 Grants for Sewer Districts and Certain Small Municipal Sewer Systems . | 32 MoReg 396 | August 30, 2007 |
| 10 CSR 20-4.061 Storm Water Grant and Loan Program | 32 MoReg 396 | August 30, 2007 |
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| 10 CSR 60-13.010 Grants for Public Water Supply Districts and Small Municipal Water Supply Systems | 32 MoReg 398 | August 30, 2007 |
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| 12 CSR 10-41.010 Annual Adjusted Rate of Interest | 31 MoReg 1935 | June 29, 2007 |
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| 12 CSR 20-3.010 Apportion Registration | 32 MoReg 521 | August 29, 2007 |
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| 13 CSR 40-32.010 Basis of Payment | 32 MoReg 693 | September 27, 2007 |
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| 13 CSR 70-10.030 Prospective Reimbursement Plan for Nonstate-Operated Facilities for ICF/MR Services | 32 MoReg 293 | August 1, 2007 |
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| 15 CSR 30-51.180 Exemptions from Registration for Broker-Dealers, Agents, Investment Advisors, and Investment Advisors Representatives. | 32 MoReg 400 | August 10, 2007 |
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| 20 CSR 500-5.020 Medical Malpractice Insurance Rate Filings | 32 MoReg 401 | August 10, 2007 |
| 20 CSR 500-5.025 Determination of Inadequate Rates | 32 MoReg 403 | August 10, 2007 |
| 20 CSR 500-5.026 Determination of Excessive Rates | 32 MoReg 404 | August 10, 2007 |
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| 20 CSR 600-1.030 Medical Malpractice Statistical Data Reporting | Next Issue | February 28, 2008 |
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| 22 CSR 10-2.010 Definitions | 32 MoReg 209 | June 29, 2007 |
| 22 CSR 10-2.060 PPO and Co-Pay Plan Limitations | 32 MoReg 210 | June 29, 2007 |
| 22 CSR 10-2.067 HMO and POS Limitations | 32 MoReg 210 | June 29, 2007 |
| 22 CSR 10-2.090 Pharmacy Benefit Summary | 32 MoReg 211 | June 29, 2007 |

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| | | | |
|--------------|---|-------------------|--------------|
| 07-01 | Authorizes Transportation Director to temporarily suspend certain commercial motor vehicle regulations in response to emergencies | January 2, 2007 | 32 MoReg 295 |
| 07-02 | Declares that a State of Emergency exists in the State of Missouri, directs that the Missouri State Emergency Operations Plan be activated | January 13, 2007 | 32 MoReg 298 |
| 07-03 | Directs the Adjutant General call and order into active service such portions of the organized militia as he deems necessary to aid the executive officials of Missouri, to protect life and property, and to support civilian authorities | January 13, 2007 | 32 MoReg 299 |
| 07-04 | Vests the Director of the Missouri Department of Natural Resources with full discretionary authority to temporarily waive or suspend the operation of any statutory or administrative rule or regulation currently in place under his purview in order to better serve the interest of public health and safety during the period of the emergency and subsequent recovery period | January 13, 2007 | 32 MoReg 301 |
| 07-05 | Transfers the Breath Alcohol Program from the Missouri Department of Health and Senior Services to the Missouri Department of Transportation | January 30, 2007 | 32 MoReg 406 |
| 07-06 | Transfers the function of collecting surplus lines taxes from the Missouri Department of Insurance, Financial Institutions and Professional Registration to the Department of Revenue | January 30, 2007 | 32 MoReg 408 |
| 07-07 | Transfers the Crime Victims' Compensation Fund from the Missouri Department of Labor and Industrial Relations to the Missouri Department of Public Safety | January 30, 2007 | 32 MoReg 410 |
| 07-08 | Extends the declaration of emergency contained in Executive Order 07-02 and the terms of Executive Order 07-04 through May 15, 2007, for continuing cleanup efforts from a severe storm that began on January 12 | February 6, 2007 | 32 MoReg 524 |
| 07-09 | Orders the Commissioner of Administration to take certain specific cost saving actions with the OA Vehicle Fleet | February 23, 2007 | 32 MoReg 571 |
| 07-10 | Reorganizes the Governor's Advisory Council on Physical Fitness and Health and relocates it to the Department of Health and Senior Services | February 23, 2007 | 32 MoReg 573 |
| 07-11 | Designates members of staff with supervisory authority over selected state agencies | February 23, 2007 | 32 MoReg 576 |
| 07-12 | Orders agencies to support measures that promote transparency in health care | March 2, 2007 | 32 MoReg 625 |
| 07-13 | Orders agencies to audit contractors to ensure that they employ people who are eligible to work in the United States, and requires future contracts to contain language allowing the state to cancel the contract if the contractor has knowingly employed individuals who are not eligible to work in the United States | March 6, 2007 | 32 MoReg 627 |
| 07-14 | Creates and establishes the Missouri Mentor Initiative, under which up to 200 full-time employees of the state of Missouri are eligible for one hour per week of paid approved work to mentor in Missouri public primary and secondary schools up to 40 hours annually | April 11, 2007 | 32 MoReg 757 |
| 07-15 | Gov. Matt Blunt increases the membership of the Mental Health Transformation Working Group from eighteen to twenty-four members | April 23, 2007 | 32 MoReg 839 |
| 07-17 | Gov. Matt Blunt activates portions of the Missouri National Guard in response to severe storms and potential flooding | May 7, 2007 | This Issue |
| 07-18 | Gov. Matt Blunt declares a State of Emergency and directs the Missouri State Emergency Operations Plan be activated in response to severe storms that began May 5 | May 7, 2007 | This Issue |
| 07-19 | Gov. Matt Blunt authorizes the departments and agencies of the Executive Branch of Missouri state government to adopt a program by which employees may donate a portion of their annual leave benefits to other employees who have experienced personal loss due to the 2007 flood or who have volunteered in a flood relief | May 7, 2007 | This Issue |
| 07-20 | Gov. Matt Blunt gives the director of the Department of Natural Resources the authority to suspend regulations in the aftermath of a flood emergency | May 7, 2007 | This Issue |

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| 06-01 | Designates members of staff with supervisory authority over selected state agencies | January 10, 2006 | 31 MoReg 281 |
| 06-02 | Extends the deadline for the State Retirement Consolidation Commission to issue its final report and terminate operations to March 1, 2006 | January 11, 2006 | 31 MoReg 283 |
| 06-03 | Creates and establishes the Missouri Healthcare Information Technology Task Force | January 17, 2006 | 31 MoReg 371 |

**Executive
Orders**

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| 06-04 | Governor Matt Blunt transfers functions, personnel, property, etc. of the Division of Finance, the State Banking Board, the Division of Credit Unions, and the Division of Professional Registration to the Department of Insurance. Renames the Department of Insurance as the Missouri Department of Insurance, Financial Institutions and Professional Registration. Effective August 28, 2006 | February 1, 2006 | 31 MoReg 448 |
| 06-05 | Governor Matt Blunt transfers functions, personnel, property, etc. of the Missouri Rx Plan Advisory Commission to the Missouri Department of Health and Senior Services. Effective August 28, 2006 | February 1, 2006 | 31 MoReg 451 |
| 06-06 | Governor Matt Blunt transfers functions, personnel, property, etc. of the Missouri Assistive Technology Advisory Council to the Missouri Department of Elementary and Secondary Education. Rescinds certain provisions of Executive Order 04-08. Effective August 28, 2006 | February 1, 2006 | 31 MoReg 453 |
| 06-07 | Governor Matt Blunt transfers functions, personnel, property, etc. of the Missouri Life Sciences Research Board to the Missouri Department of Economic Development | February 1, 2006 | 31 MoReg 455 |
| 06-08 | Names the state office building, located at 1616 Missouri Boulevard, Jefferson City, Missouri, in honor of George Washington Carver | February 7, 2006 | 31 MoReg 457 |
| 06-09 | Directs and orders that the Director of the Department of Public Safety is the Homeland Security Advisor to the Governor, reauthorizes the Homeland Security Advisory Council and assigns them additional duties | February 10, 2006 | 31 MoReg 460 |
| 06-10 | Establishes the Government, Faith-based and Community Partnership | March 7, 2006 | 31 MoReg 577 |
| 06-11 | Orders and directs the Adjutant General to call and order into active service such portions of the organized militia as he deems necessary to aid the executive officials of Missouri, to protect life and property and to employ such equipment as may be necessary in support of civilian authorities | March 13, 2006 | 31 MoReg 580 |
| 06-12 | Declares that a State of Emergency exists in the State of Missouri and directs that the Missouri State Emergency Operation Plan be activated | March 13, 2006 | 31 MoReg 582 |
| 06-13 | The Director of the Missouri Department of Natural Resources is vested with full discretionary authority to temporarily waive or suspend the operation of any statutory or administrative rule or regulation currently in place under his purview in order to best serve the public health and safety during the period of the emergency and the subsequent recovery period | March 13, 2006 | 31 MoReg 584 |
| 06-14 | Declares a State of Emergency exists in the State of Missouri and directs that the Missouri State Emergency Operation Plan be activated | April 3, 2006 | 31 MoReg 643 |
| 06-15 | Orders and directs the Adjutant General, or his designee, to call and order into active service portions of the organized militia as he deems necessary to aid the executive officials of Missouri, to protect life and property, and take such action and employ such equipment as may be necessary in support of civilian authorities, and provide assistance as authorized and directed by the Governor | April 3, 2006 | 31 MoReg 645 |
| 06-16 | Declares that a State of Emergency exists in the State of Missouri, directs that the Missouri State Emergency Operations Plan be activated | April 3, 2006 | 31 MoReg 647 |
| 06-17 | Declares that a State of Emergency exists in the State of Missouri, directs that the Missouri State Emergency Operations Plan be activated | April 3, 2006 | 31 MoReg 649 |
| 06-18 | Authorizes the investigators from the Division of Fire Safety, the Park Rangers from the Department of Natural Resources, the Conservation Agents from the Department of Conservation, and other POST certified state agency investigators to exercise full state wide police authority as vested in Missouri peace officers pursuant to Chapter 590, RSMo during the period of this state declaration of emergency | April 3, 2006 | 31 MoReg 651 |
| 06-19 | Allows the director of the Missouri Department of Natural Resources to grant waivers to help expedite storm recovery efforts | April 3, 2006 | 31 MoReg 652 |
| 06-20 | Creates interim requirements for overdimension and overweight permits for commercial motor carriers engaged in storm recovery efforts | April 5, 2006 | 31 MoReg 765 |
| 06-21 | Designates members of staff with supervisory authority over selected state agencies | June 2, 2006 | 31 MoReg 1055 |
| 06-22 | Healthy Families Trust Fund | June 22, 2006 | 31 MoReg 1137 |
| 06-23 | Establishes Interoperable Communication Committee | June 27, 2006 | 31 MoReg 1139 |
| 06-24 | Establishes Missouri Abraham Lincoln Bicentennial Commission | July 3, 2006 | 31 MoReg 1209 |
| 06-25 | Declares that a State of Emergency exists in the State of Missouri, directs that the Missouri State Emergency Operations Plan be activated | July 20, 2006 | 31 MoReg 1298 |
| 06-26 | Directs the Adjutant General to call and order into active service such portions of the organized militia as he deems necessary to aid the executive officials of Missouri, to protect life and property, and to support civilian authorities | July 20, 2006 | 31 MoReg 1300 |
| 06-27 | Allows the director of the Missouri Department of Natural Resources to grant waivers to help expedite storm recovery efforts | July 21, 2006 | 31 MoReg 1302 |

| Executive Orders | Subject Matter | Filed Date | Publication |
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| 06-28 | Authorizes Transportation Director to issue declaration of regional or local emergency with reference to motor carriers | July 22, 2006 | 31 MoReg 1304 |
| 06-29 | Authorizes Transportation Director to temporarily suspend certain commercial motor vehicle regulations in response to emergencies | August 11, 2006 | 31 MoReg 1389 |
| 06-30 | Extends the declaration of emergency contained in Executive Order 06-25 and the terms of Executive Order 06-27 through September 22, 2006, for the purpose of continuing the cleanup efforts in the east central part of the State of Missouri | August 18, 2006 | 31 MoReg 1466 |
| 06-31 | Declares that a State of Emergency exists in the State of Missouri, directs that the Missouri State Emergency Operations Plan be activated | September 23, 2006 | 31 MoReg 1699 |
| 06-32 | Allows the director of the Missouri Department of Natural Resources to grant waivers to help expedite storm recovery efforts | September 26, 2006 | 31 MoReg 1701 |
| 06-33 | Governor Matt Blunt orders all state employees to enable any state owned wireless telecommunications device capable of receiving text messages or emails to receive wireless AMBER alerts | October 4, 2006 | 31 MoReg 1847 |
| 06-34 | Governor Matt Blunt amends Executive Order 03-26 relating to the duties of the Information Technology Services Division and the Information Technology Advisory Board | October 11, 2006 | 31 MoReg 1849 |
| 06-35 | Governor Matt Blunt creates the Interdepartmental Coordination Council for Job Creation and Economic Growth | October 11, 2006 | 31 MoReg 1852 |
| 06-36 | Governor Matt Blunt creates the Interdepartmental Coordination Council for Laboratory Services and Utilization | October 11, 2006 | 31 MoReg 1854 |
| 06-37 | Governor Matt Blunt creates the Interdepartmental Coordination Council for Rural Affairs | October 11, 2006 | 31 MoReg 1856 |
| 06-38 | Governor Matt Blunt creates the Interdepartmental Coordination Council for State Employee Career Opportunity | October 11, 2006 | 31 MoReg 1858 |
| 06-39 | Governor Matt Blunt creates the Mental Health Transformation Working Group | October 11, 2006 | 31 MoReg 1860 |
| 06-40 | Governor Matt Blunt creates the Interdepartmental Coordination Council for State Service Delivery Efficiency | October 11, 2006 | 31 MoReg 1863 |
| 06-41 | Governor Matt Blunt creates the Interdepartmental Coordination Council for Water Quality | October 11, 2006 | 31 MoReg 1865 |
| 06-42 | Designates members of staff with supervisory authority over selected state departments, divisions, and agencies | October 20, 2006 | 31 MoReg 1936 |
| 06-43 | Closes state offices on Friday, November 24, 2006 | October 24, 2006 | 31 MoReg 1938 |
| 06-44 | Adds elementary and secondary education as another category with full membership representation on the Regional Homeland Security Oversight Committees in order to make certain that schools are included and actively engaged in homeland security planning at the state and local level | October 26, 2006 | 31 MoReg 1939 |
| 06-45 | Directs the Department of Social Services to prepare a Medicaid beneficiary employer report to be submitted to the governor on a quarterly basis. Such report shall be known as the Missouri Health Care Responsibility Report | November 27, 2006 | 32 MoReg 6 |
| 06-46 | Declares that a State of Emergency exists in the State of Missouri, directs that the Missouri State Emergency Operations Plan be activated | December 1, 2006 | 32 MoReg 127 |
| 06-47 | Directs the Adjutant General call and order into active service such portions of the organized militia as he deems necessary to aid the executive officials of Missouri, to protect life and property, and to support civilian authorities | December 1, 2006 | 32 MoReg 129 |
| 06-48 | Vests the Director of the Missouri Department of Natural Resources with full discretionary authority to temporarily waive or suspend the operation of any statutory or administrative rule or regulation currently in place under his purview in order to better serve the interest of public health and safety during the period of the emergency and subsequent recovery period | December 1, 2006 | 32 MoReg 131 |
| 06-49 | Directs the Department of Mental Health to implement recommendations from the Mental Health Task Force to protect client safety and improve the delivery of mental health services | December 19, 2006 | 32 MoReg 212 |
| 06-50 | Extends the declaration of emergency contained in Executive Order 06-46 and the terms of Executive Order 06-48 through March 1, 2007, for the purpose of continuing the cleanup efforts in the affected Missouri communities | December 28, 2006 | 32 MoReg 214 |

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